



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

COMMITTEE SUMMONS

C Hanagan
Service Director of Democratic Services & Communication
Rhondda Cynon Taf County Borough Council
The Pavilions
Cambrian Park
Clydach Vale CF40 2XX

Meeting Contact: Kate Spence - Democratic Services (07747485566)

A virtual meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** will be held on **THURSDAY, 13TH JANUARY, 2022** at **3.00 PM**.

NON-COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC MAY REQUEST THE FACILITY TO ADDRESS THE COMMITTEE AT THEIR MEETING ON THE BUSINESS LISTED. IT IS KINDLY ASKED THAT SUCH NOTIFICATION IS MADE TO **PLANNINGSERVICES@RCTCBC.GOV.UK** BY 5PM ON TUESDAY, 11 JANUARY 2022, INCLUDING STIPULATING WHETHER THE ADDRESS WILL BE IN WELSH OR ENGLISH.

THE ORDER OF THE AGENDA MAY BE SUBJECT TO AMENDMENT TO BEST FACILITATE THE BUSINESS OF THE COMMITTEE

AGENDA

1. DECLARATION OF INTEREST

To receive disclosures of personal interest from Members in accordance with the Code of Conduct.

Note:

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest; and
2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they **must** notify the Chairman when they leave.

2. HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

To note, that when Committee Members determine the development control matters before them, they should have regard to the Development Plan and, so far as material to applications, to any other material considerations and when taking decisions, Members have to ensure they do not act in a manner that is incompatible with the Convention on Human Rights as incorporated into legislation by the Human Rights Act 1998.

3. WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

To note that the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle and to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4. MINUTES 25.11.21

To approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on 25th November 2021.

7 - 10

APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

5. APPLICATION NO: 20/0682

Creation of three traveller pitches to include a static caravan, touring caravan and day/utility room per pitch and installation of package treatment plant (partly in retrospect). (Revised Ecology report received 1/9/20; Dormouse and Bat Reports and revised site layout/day room plans received 24/11/10)

BROAD OAKS STABLES, LLANHARRY ROAD, LLANHARRY, PONTYCLUN, CF72 9LY

11 - 26

6. APPLICATION NO: 20/0806

The submission of reserved matter details (pursuant to condition 9 of consent 19/0380/15) for Phase 2 highway works, incorporating the remodelling of Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot; together with the submission of materials and boundary treatment details, as they relate to Phase 2 (pursuant to conditions 28 and 30 of consent 19/0380/15); and, an updated phasing plan (pursuant to condition 41 of consent 19/0380/15).

(Additional and/or new information received: 14/09/21 (Taffs Well Station Car Park Feasibility Study (05/08/21))

LAND AT GARTH WORKS INDUSTRIAL ESTATE AND TAFF'S

WELL RAILWAY STATION, WEST OF THE A470

27 - 48

7. APPLICATION NO: 21/0568

Reserved matters submission (pursuant to outline element of 19/0380/15) made in relation to Phase 3 of the development – the building of the new South Wales Metro Core Valley Lines Main Depot facility (comprising maintenance shed, office and accommodation building; sanding facility; vehicle wash building and plant room; underframe cleaning wash facility; associated electrical infrastructure (generator, low voltage and high voltage switch rooms); gatehouse; staff and visitor parking; internal tracks, train stabling area and associated overhead electricity line infrastructure, gantries and inspection platforms) together with ancillary works of fencing, lighting, security and landscaping.

(Additional and/or new information received: 08/07/21 (General highway arrangement plans, footway cross-section plan/s and shared/segregated footway/cycleway plan/s); 14/09/21 (Taffs Well Station Car Park Feasibility Study (05/08/21)).

LAND AT THE FORMER GARTH WORKS INDUSTRIAL ESTATE.

49 - 68

8. APPLICATION NO: 21/0773

Retention of retail use at ground floor, change of use and re-development of upper floors of the property to provide 6 no. one bedroom residential flats and 1 no. two bedroom flat.

NEW LOOK, 58 CARDIFF STREET, ABERDARE, CF44 7DG

69 - 78

9. APPLICATION NO: 21/0946

Proposed highway engineering works including access (revised stie p21/0946 lan received 27/10/21)

LAND AT FORMER ABERDARE HOSPITAL, ABERNANT ROAD, ABER-NANT, ABERDARE

79 - 90

10. APPLICATION NO: 21/1449

Variation of Conditions - 1 Extend the time limit and 2 Replace the approved plan (hdw/ph/may.2001 Rev - A with plan hdw.ph/may.2001 Rev B) - of approved planning permission 17/0246/10.

HEULWEN DEG, ROCK COTTAGES, GRAIG-WEN, PONTYPRIDD, CF37 2EF

91 - 104

11. APPLICATION NO: 21/1511

Construction of a new concrete skatepark within Tyn-Y-Bryn Park.

SITE WITHIN TYNBYRYN PARK, TYNBYRYN ROAD, TONYREFAIL

105 - 112

SITE INSPECTION

12. APPLICATION NO: 21/0687

2 pairs of semi-detached houses.

LAND SOUTH OF TAFF TERRACE, CLYDACH, TONYPANDY

113 - 124

13. APPLICATION NO: 21/1102

Building to facilitate the relocation of fallen stock yard. (Odour Management Plan received 30th September 2021, Veterinary Statement and revised plans, reducing size of building and enhancing landscaping, received 18th October 2021)

FIELD AT CROFT YR HAIDD, CASTELLAU, BEDDAU, PONTYCLUN

125 - 148

DEFERRED APPLICATIONS

14. APPLICATION NO: 21/0466

Conversion of church to 8 apartments (Re-submission of 19/0829/10).

CALVARY CHURCH, WOOD ROAD, TREFOREST, PONTYPRIDD

149 - 164

15. APPLICATION NO: 21/1179

Demolition of The Dragon (formerly The Bridge Inn) and no. 1 Saron Street, and erection of 5 no. units of purpose built student accommodation (sui generis). Amended plans received 19/10/21.

THE DRAGON INN AND 1 SARON STREET, TREFOREST, PONTYPRIDD

165 - 184

16. APPLICATION NO: 21/1250

Construction of new garage block containing 3 no. single garages (amended and additional plans received 19/10/2021 and 24/11/2021).

LAND ADJACENT TO WOODVILLE, PANTYGRAIGWEN ROAD, PANT-Y-GRAIG-WEN, PONTYPRIDD

185 - 196

17. APPLICATION NO: 21/1267

Conversion of property to 8 studio flats, including a two-storey rear extension, internal alterations and off-street car parking to rear (amended plans rec. 18/10/21 and amended description 18/10/21).

GWYNFA HOUSE, MAIN ROAD, CHURCH VILLAGE, PONTYPRIDD

197 - 210

INFORMATION REPORT

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

To inform Members of the following, for the period 06/12/2021 – 31/12/2021.

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

211 - 228

19. URGENT BUSINESS

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

Service Director of Democratic Services & Communication

Circulation:-

Members of the Planning & Development Committee

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

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

Service Director of Democratic Services & Communication
Director of Prosperity & Development
Head of Major Development and Investment
Head of Planning
Head of Legal Services
Senior Engineer

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RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the virtual meeting of the Planning and Development Committee held on Thursday, 25 November 2021 at 3.00 pm

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

Councillor G Caple (Chair)

Councillor S Rees Councillor J Bonetto
Councillor P Jarman Councillor D Grehan
Councillor G Hughes Councillor J Williams
Councillor D Williams Councillor W Lewis
Councillor S Powderhill

Officers in attendance:-

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

County Borough Councillors in attendance:-

Councillor J Edwards and Councillor M Weaver

116 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

117 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

It was **RESOLVED** to note that when Committee Members determine the development control matters before them, they should have regard to the Development Plan and, so far as material to applications, to any other material considerations and when taking decisions, Members have to ensure they do not act in a manner that is incompatible with the convention on Human Rights as incorporated into legislation by the Human Rights Act 1998.

118 WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

It was **RESOLVED** to note that the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle and to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

119 MINUTES 07.10.21

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 7th October 2021.

120 CHANGE TO THE AGENDA

The Committee agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

121 APPLICATION NO: 21/1108/10

Proposed double storey extension to the rear. 45 Clos Brenin, Brynsadler, Pontyclun, CF72 9GA

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

Mr S Coombes (Applicant)
Ms J Rhodes (Objector)
Mr B Lewis (Objector)

The Committee noted that Mr C Richards (Agent) who had requested to address Members on the Application was not present to do so.

The Applicant Mr S Coombes exercised the right to respond to the comments made by the objectors.

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

122 APPLICATION NO: 21/0591/10

Stable Block and Manège (Revised Ownership Certificate 'B' received 7th July 2021. Revised plans with altered site layout - repositioning stable block and reducing its size - received 31st August 2021) Land to the South of 25 - 41, Kennard Street, Tonpentre, Pentre

In accordance with adopted procedures, the Committee received Mrs S Bromwell (On behalf of Applicant) who was afforded five minutes to address Members on the above-mentioned proposal.

Non-Committee/ Local Member – County Borough Councillor M Weaver spoke on the application and put forward her support in respect of the proposed Development.

In accordance with Minute No. 91 of the Planning and Development Committee held on the 21st October 2021, the Committee considered the report of the Director, Democratic Services & Communication outlining the outcome of the site visit inspection which was held on the 9th November in respect of the application which was recommended for approval by the Director Prosperity and Development.

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

123 APPLICATION NO: 21/1208/10

Proposed construction of new dwelling with attached garage. Land Adjacent to Cartref Melys, Heol Llechau, Aberllechau, Porth, CF39 0PP

Non-Committee/ Local Member – County Borough Councillor J Edwards spoke on the application and put forward her support in respect of the proposed Development.

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

(**Note:** County Borough Councillor D Williams left the meeting at this point and did not re-join.)

124 APPLICATION NO: 20/1380

Glamping pods for holiday let (amended plans rec. 26/01/2021) (Foul Drainage Arrangement Plan rec. 30/07/21) Pencaedrain Farm, Dinas Terrace To Coed Wernhir, Rhigos, Aberdare, SA11 5NF

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

125 APPLICATION NO: 21/1122/10

Retention of decking and fence to rear garden. 86 The Ridings, Cwmdare, Aberdare, CF44 8AQ

The Head of Planning outlined the contents of a 'late' letter received from Ms V Davies (Applicant).

He continued to present the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development.

126 APPLICATION NO: 21/1088/10

Raised platform at the rear of residential 3 storey home to be used as means of fire escape (Re-submission of 21/0442/10 - Plan detailing proposed screen fence received 13/09/2021). 25 Thomas Street, Tonypandy, CF40 2AH

The Head of Planning presented the application which was originally reported to Committee on 21st October 2021, where Members were minded to approve the application, contrary to the officer recommendation of the Director, Prosperity and Development (Minute 101 refers).

Members gave consideration to the further report, highlighting the potential strengths and weaknesses of approving contrary to officer recommendation and following discussions, it was **RESOLVED** to approve the application subject to the condition outlined within the report, contrary to the recommendation of the Director, Prosperity and Development as they did not consider the development would result in an unacceptable level of overlooking/overbearing impacts to the surrounding neighbours.

127 INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN UNDER DELEGATED POWERS

Members **RESOLVED** to receive the report of the Service Director, Planning in relation to Planning and Enforcement Appeal Decisions received, Delegated Decisions Approvals and Refusals with reasons, Overview of Enforcement Cases and Enforcement Delegated Decisions received for the period 25/10/2021 – 12/11/2021.

This meeting closed at 4.00 pm

**CLLR G CAPLE
CHAIR.**

PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0682/10 (GH)
APPLICANT: C/O Agent (Hayston Developments & Planning Ltd)
DEVELOPMENT: Creation of three traveller pitches to include a static caravan, touring caravan and day/utility room per pitch and installation of package treatment plant (partly in retrospect). (Revised Ecology report received 1/9/20; Dormouse and Bat Reports and revised site layout/day room plans received 24/11/10)
LOCATION: BROAD OAKS STABLES, LLANHARRY ROAD, LLANHARRY, PONTYCLUN, CF72 9LY
DATE REGISTERED: 01/09/2020
ELECTORAL DIVISION: Llanharry

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

REASONS: The proposed development raises concerns in respect of its location within land designated as a Green Wedge and the issues highlighted by the Council's Highways and Transportation Section.

However, the Local Planning Authority has balanced these against other material considerations that would weigh in favour of the proposal, including the lack of available alternative sites, the personal circumstances of the Applicant, and legislation pertaining to equality, human rights and the best interests of the child.

Consequently, it is considered that these wider material considerations, taken together with the specific context of the site and proposal, are sufficient to outweigh those concerns.

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 for the creation of three Traveller pitches on land adjacent to Broad Oaks Stables, Llanharry.

It is proposed that each pitch would contain a static residential caravan, a touring caravan, and a day room. Amenity space would be provided to the rear and parking to the front within the gravelled forecourts.

In respect of the single storey day rooms, these would be constructed from blockwork and rendered to match the existing stable building. The day rooms would have a width of 9.1m and a depth of 6.1m and would be enclosed by a 4m high twin pitch roof of artificial slates.

The first plot, which is currently occupied by the Applicant and his family, already contains the touring and static caravans, together with a dog kennel. All to be retained as part of the proposal.

The second plot, which has also since been developed, would be occupied by the Applicant's sister and her family.

The third by the Applicant's daughter who will be married imminently.

In addition, the submitted plans demonstrate that the boundaries of the plots would be enclosed by a double staggered row of native tree and shrub species and a planting mix has been specified. Furthermore, bat and bird boxes have been incorporated within the scheme plans and a separate small area to the southern extent of the Applicant's site has been identified for ecological enhancements.

The application is accompanied by a Planning Statement and Justification Report, which sets the proposal against the local and national policy framework and associated Welsh Government guidance.

The Statement contains three appendices, including a confidential report in respect of the Applicant's personal details, Gypsy and Traveller status and site-specific needs; a Preliminary Ecological Appraisal (PEA); and a letter of support from Travelling Ahead (Gypsy, Roma and Traveller Advice and Advocacy Service).

Lastly, as the description of development notes, further supporting information, by way of an updated PEA and bat and dormouse surveys, were submitted as a response to matters raised by the Council's Ecologist during the consultation process.

SITE APPRAISAL

The application property is a part of an enclosed field to the north of Llanharry. It is located outside the settlement boundary and within an area designated as Green Wedge. The land within the red line of the site location plan comprises a surface area of approximately 0.36 hectares

Access to the site is via an existing track leading from a junction with Llanharry Road a little further to the west. The track leads to the extant approved stable block and to a field used for grazing horses, both of which are within the Applicant's ownership.

Previously gated and enclosed by a wire fence, hedge and mature vegetation, the field has been laid with hardcore and partly laid out as described above, such that at the time of the initial Officer site visit it accommodated two caravans and a day block. A separate timber fence has been erected inside the western and southern boundary.

With the exception of a long established scrapyard on land to the east, the site is surrounded by open countryside. The closest neighbouring properties, in any direction, are located in excess of 0.3km away.

PLANNING HISTORY

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

- 13/0538/10:** Retrospective consent for access track and proposed stables (Amended plans received 29/08/2013). Decision: 01/11/2013, Grant.
- 06/0610/10:** Quarrying and removal of approximately 40,000 cubic metres of limestone aggregate and the deposit of inert waste material of approximately 77,600 cubic metres to reinstate the land for agricultural purposes. (Further information received & new means of access shown). Decision: 23/09/2008, Refuse. Appeal allowed, 10/09/2009.

PUBLICITY

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

Furthermore, in accordance with the Development Management Procedure (Wales) Order 2012 the relevant press notice was published on 20th August 2020 identifying that the application represented a departure from the Local Development Plan.

No representations have been received as a result of the above consultation.

CONSULTATION

Highways and Transportation

The public highway in the vicinity of the sight is severely sub-standard and its use to serve residential development would result in the creation of hazards to the detriment of highway safety and the free flow of traffic.

Dwr Cymru Welsh Water

As the applicant intends utilising a private treatment works we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Natural Resources Wales

The exact location of the historical landfill boundary located to the west of the proposed development site is unknown, although based on a review of relevant maps, appears to be within 110m of the development site. Therefore, there is a risk that contamination from the landfill may be encountered during the proposed development works and we request that a condition, relating to the discovery of unidentified contamination, is attached to any planning permission.

Public Health and Protection

Conditions are recommended in respect of demolition, hours of operation, noise, dust, and waste. However, it is considered that such matters can be controlled within the scope of existing legislation and therefore, an advisory note would be more appropriate.

The Public Health and Protection Section also noted that adverse ground conditions may exist on site and the applicant may wish to carry out investigations in order to satisfy themselves that there would be no adverse impacts from the work being carried out. Alternatively, a precautionary approach could be adopted, and gas protection measures incorporated into the buildings.

Western Power Distribution

A service connection or alteration will require the consent of WPD

Countryside, Landscape and Ecology – Ecologist

No objection, subject to conditions in respect of ecology mitigation and hedgerows.

Housing Strategy Section

The Housing (Wales) Act 2014 requires Welsh Local Authorities to undertake Gypsy and Traveller Accommodation Assessments (GTAAAs) and to make provision for sites where the assessments identify an unmet need for mobile home pitches.

Rhondda Cynon Taf's Gypsy and Traveller Accommodation Assessment 2015-2020 identifies a potential unmet need of 4 pitches over the 5 year period of the GTAA.

The need for both a transit site and temporary stopping place was considered as part of this Assessment. However, the local evidence has not indicated a need for either due to only a minor number of short term unlawful encampments in recent years.

With the above information in mind, the application demonstrates there is sufficient demand for a fixed site with provision of 3 plots.

The Coal Authority

Coal Authority records indicate that the western part of the application site lies in an area of recorded shallow coal mining. However, the parts of the site where the development is proposed lies outside of the defined High Risk Area. Therefore, we do not consider that a Coal Mining Risk Assessment is necessary to support this proposal and we do not object to this planning application.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies outside the settlement boundary for Llanharry.

Policy CS2 - the policy emphasis in the Southern Strategy Area is on sustainable growth that protects the culture and identity of communities by focusing development within defined settlement boundaries. Emphasis will also be on protecting the cultural identity of the Southern Strategy Area by protecting the natural environment.

Policy AW2 - stipulates that development proposals will only be permitted in sustainable locations, these include sites that: would not unacceptably conflict with surrounding uses; and are well related to existing water, waste, sewerage, electrical, gas and telecommunications infrastructure and improvements to such services will be provided where necessary.

Policy AW4 - details the types of planning obligations that may be sought in order to make the proposal acceptable in land use planning terms and that Community Infrastructure Levy contributions might apply.

Policy AW5 - concerns the amenity and accessibility criteria of new development proposals. The policy states that development proposals will only be supported where: the scale, form and design of the development would have no unacceptable effect on the character and appearance of the site and the surrounding area; the development would be compatible with other uses in the locality; the development would have safe access to the highway network and would not cause traffic congestion; and car parking would be provided in accordance with the Council's SPG on Delivering Design and Placemaking: Access, Circulation and Parking.

Policy AW6 - relates to design and placemaking and outlines that proposals will be acceptable where: they are appropriate to the local context in terms of siting, appearance, scale, height, massing, elevational treatment, materials and detailing.

Policy AW10 - stipulates 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 due to issues such as water, noise or light pollutions or other issues including land instability or contamination, unless it can be demonstrated that measures can be taken to overcome any significant adverse risk.

Policy AW15 - proposals for the use of land for the stationing of caravans occupied by Gypsies, Travellers and Travelling Show People will be permitted where it can be demonstrated that the proposed development:

1. Cannot be accommodated on the site allocated by Policy SSA26.
2. Is reasonably related to local services.
3. Where possible, is located on previously developed land.
4. Includes sufficient space for parking and manoeuvring of all vehicles associated with the occupiers of the site curtilage.
5. Is provided with adequate on-site services for water supply; power; drainage; sewage disposal; and waste disposal facilities.
6. Does not adversely affect surface or ground water resources.

Policy SSA13 - settlements in the Southern Strategy Area have absorbed a significant amount of new development during the last decade. In order to protect the identity of these settlements, ensure the efficient use of land and protect the countryside from urbanisation and incremental loss; the policy stipulates that development will not be permitted outside the defined settlement boundary.

Policy SSA22 - identifies locations designated as Green Wedge to prevent coalescence, protect vulnerable and undeveloped land, and urban form.

Policy SSA23 - identifies that the site falls within a Special Landscape Area, where due to the landscape value of the site, development proposals are expected to demonstrate a higher standard of design and consideration of the wider site context.

Policy SSA26 - land is allocated at Beddau Caravan Park for the provision of Gypsy and Traveller accommodation for the whole of the County Borough

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking Requirements

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.

In addition, it is also recognised that the guidance within Welsh Government Circular 005/2018 – Planning for Gypsy, Traveller and Showpeople Sites is of specific relevance to the proposed development, particularly in respect of site sustainability and wider material considerations. Hence these matters are considered further below.

Other national policy guidance considered:

- PPW Technical Advice Note 12: Design
- PPW Technical Advice Note 18: Transport
- Manual for Streets
- Welsh Government Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites (June 2018)
- Welsh Government Enabling Gypsies, Roma and Travellers Plan (June 2018)

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 proposal seeks consent for three traveller pitches, each with static and touring caravans, and day rooms on a parcel of undesignated land. This land is outside the defined settlement boundary, and within an area of Green Wedge.

Green Wedge

LDP Policy SSA22 determines that the application site lies within a Green Wedge and PPW11 is clear that there is a general presumption against inappropriate development within Green Wedges. Furthermore, Circular 005/2018 states that new Gypsy and Traveller sites in the Green Belt or Green Wedges are likely to be inappropriate development. National planning policy on Green Belts or Green Wedges applies equally to applications for planning permission for Gypsy and Traveller sites and other residential uses.

The Circular continues that alternatives should be explored before green wedge locations are considered. However, it does not follow that sites outside the defined settlement boundary, away from existing settlements are necessarily unsuitable. Car-borne travel should also not be used to effectively block proposals for Gypsy and Traveller sites.

In this instance, and in accordance with the Circular, the application acknowledges that developments within Green Wedges are not permitted if it is deemed that they prejudice the open nature of the land. The development will have some impact, however, the nature, scale, siting, design, land use/designation and planning history of this proposal, together with the proposed mitigation measures, are considered to be of minor concern and have some reversibility. The application submission correctly points out that 1/3 of the site is Brownfield with an existing approved yard, access and stable block, and also notes that there are no alternative available private or public pitches available within the County Borough to accommodate the Applicant's immediate needs

Furthermore, Welsh Government has recognised that the Covid-19 pandemic has disproportionately affected the lives of Gypsies and Travellers, both in terms of how they live and where they work. Pitches of lower density on smaller sites are considered to be more appropriate.

Special Landscape Area

The application site is also within a designated Special Landscape Area (SLA), which were designated to protect areas of fine landscape quality within RCT. The SLA designation does not preclude development however providing that proposals conform to the highest design standards possible and protect the visual qualities of the SLA.

It is however noted that the existing scrapyards (to the east of the application site) is somewhat of an eyesore in the context of the SLA, although previous permissions do not provide carte blanche to permit inappropriate development elsewhere.

Housing Act

The Housing (Wales) Act, 2014 places a legal duty on local authorities to properly assess the accommodation needs of Gypsies and Travellers and ensure that they are provided for. The current RCTCBC Gypsy and Traveller Accommodation Assessment (GTAA) only covers the period 2015-2020 and therefore the assessment of 'need' is considered to be fairly out-of-date.

Seemingly, with no emerging up-to-date evidence at present, this would be a significant material consideration, particularly if the application was refused and subject to an appeal. The Council's Housing Strategy Team has also advised that the planning application evidences an unmet need due to the growth of the Applicant's family.

Other Policy Considerations

Circular 005/2018 – Planning for Gypsy, Traveller and Show People Sites (June 2018), supports Gypsies and Travellers finding and purchasing their own sites for development. It states that an increase in the number of approved private sites may also release pitches on local authority sites for Gypsies and Travellers most in need of public provision.

This is somewhat contradictory in relation to criteria 1 of LDP Policy AW15 of the LDP, which states that sites will be permitted where they cannot be accommodated by allocation SSA26 (Beddau Caravan Park). National policy therefore takes precedence. Approving planning permission for private Gypsy and Traveller Sites, in appropriate locations, also contributes to the Well-being of Future Generation (Wales) Act's goals of *A more equal Wales* and *A Wales of cohesive communities*, as well as contributing to the 'due regard' duty placed upon Local Authorities by The Equalities Act 2010.

In relation to other aspects of Policy AW15, which is the criteria based policy for the use of land for the stationing of caravans occupied by Gypsies and Travellers, the proposal appears to be compliant with regard to its proximity to local services and due to the fact that the site is Brownfield land. There is also sufficient space on site for parking and manoeuvring of associated vehicles, and the site can be provided with adequate on site services for water, power and waste disposal.

The site is in reasonably close proximity to a number of local facilities within the settlement of Llanharry, including a Post Office, places of worship, and a primary and secondary school. Whilst not within a sustainable location, as defined by Policy AW2, it is nonetheless reasonably close to existing facilities and would allow the family to access basic services, amenities, and education.

Paragraph 39 of the Circular states that sites in the countryside, away from existing settlements, can be considered for Gypsy and Traveller sites if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries. In assessing the suitability of such sites, local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services.

Conclusion

National planning policy is generally very supportive of applications for Gypsy and Traveller sites, as mentioned previously, although it does state that they are typically considered to be inappropriate development, when located within a Green Wedge.

However, given that no alternative sites have been identified within the settlement boundary or elsewhere, interpretation of the Circular indicates that an objection based upon the requirements of LDP Policy AW2, which stipulate the criteria for a sustainable location, should be afforded minimal material weight.

In addition, the location of the proposal, adjacent to the Applicant's existing approved stables and access track, together with its proximity to the aforementioned scrapyard, it is considered that the Green Wedge designation may be afforded less weight in this instance.

Therefore, in light of the above, and subject to the material issues considered further below, it is considered that the highlighted local and national policy matters weigh in favour of the of the principle of the development.

Impact on the character and appearance of the area

Further to the references to the SLA and Green Wedge status considered further above, LDP Policy AW15 and Circular 005/2018 recognise that Gypsy and Traveller caravan sites can be located in the countryside, which means that there would be a likely change to the character and appearance of such areas.

Taking into account the location of the development within a topographically depressed area and set against the slopes of higher ground to the north and south, together with its relative proximity to the settlement boundary of Llanharry, the development would not be considered to have a detrimental impact on the wider landscape or unacceptably harm its open nature.

The proposal has also been assessed in the context of existing surrounding features which include an extensive established scrap yard, landfill operations to the south and recent new buildings constructed on farm land to the north.

The immediate visual impact of the proposal is also considered to be acceptable since even in its rural location, there is a large hedge between the highway and the site. This effectively screens the stables and the development that has already taken place. The additional hedge planting proposals will only add further to that screening and mitigation.

Therefore, it is considered that the proposals will not detract from the character or appearance of the area.

Impact on neighbouring occupiers

The benefit of the application site being located within open countryside is that its distance from most other dwellings prevents there being any direct or immediate consequences for the amenity of other residents, either in respect of privacy or harm to outlook.

In this case, reflecting its distance from neighbouring properties, and in the absence of any representations to the contrary, no objections are raised in this regard.

Highways and accessibility

Following consultation and assessment of the scheme the below comments were offered by the Highways and Transportation Section:

Public Highway

The proposed development would be served via the adopted unnamed lane off Llanharan Road, Llanharry. The adopted unnamed lane is severely sub-standard and lacks sufficient width to facilitate two-way traffic flow; segregated pedestrian footway facilities; highway geometry capable of affording satisfactory sightlines, highway drainage, street lighting and structural integrity.

As such, use of the lane to serve residential development would result in the creation of traffic hazards to the detriment of highway safety and the free flow of traffic, which gives serious cause for concern.

Furthermore, Llanharan Road also lacks segregated pedestrian footway facilities, adequate highway drainage and street lighting, which gives further cause for concern.

Therefore, the public highways in the vicinity of the site are sub-standard to serve residential development. The lack of segregated pedestrian footway facilities would discourage walking as a means of travel and the development would be heavily reliant on the use of private motor vehicles, contrary to the aims of PPW11 and the Active Travel (Wales) Act 2013.

Site Access

Access from the public highway would be via an existing access off the adopted unnamed lane that currently serves a stable block. The access measures in excess of 4.5m in wide and accommodates a sufficient turning area to ensure vehicles are able to enter and exit in a forward gear. As such, the existing access is acceptable to serve the level of development proposed.

Off-street parking provision

The proposal is for 3 no. Gypsy and Traveller pitches. The submitted site layout plan indicates provision of 2 no. parking spaces per pitch; however, there is scope for significantly more off-street parking provision than that shown on the plan.

The proposal therefore gives no undue cause for concern regarding off-street parking provision.

Conclusion

To conclude, the public highway in the vicinity of the sight is considered sub-standard to serve a residential use and would create traffic hazards to the detriment of highway safety and the free flow of traffic. Accordingly, a highway objection is raised on this basis.

Ecology

The Council's Ecologist has noted that the Applicant has undertaken the required assessment of foraging/commuting bats and although this records four species, the report concludes that with lighting mitigation the impacts on bat usage of the immediate area will be negligible.

The requirement for the bat activity survey work was due to the site being in a rural location near important bat habitats, but the activity work better substantiates the conclusion that the development would have a negligible impact. The Ecologist has confirmed that if a condition is appended to any consent requiring details of a scheme to deliver all recommendations within the November 21 Elite Ecology Bat Report, the bat issue would be resolved.

In terms of the dormouse survey, a survey has been undertaken of the immediate area and found no current evidence of dormouse occupancy. Again, the reason for requiring this work was because this site is close to key dormouse sites and habitats, and site-specific assessment was required to understand how this application might be affecting the species. The conclusions of the assessment, that there is unlikely to be an impact on dormice, is now much stronger with the nil results of the survey.

In light of the above, the Ecologist has requested a further condition for a local provenance hazel only hedgerow to be provided for the new garden boundaries, and has advised that any protected species have been resolved sufficiently for this application to proceed.

Further material considerations

Notwithstanding the matters above, the Local Planning Authority must consider whether there are any other material considerations that should apply in this case, that might outweigh the identified harm to highway safety.

Welsh Government Circular 005/2018 explains that the Housing (Wales) Act (2014) places a legal duty upon local authorities to ensure the accommodation needs of Gypsies and Travellers are assessed and that the identified need for pitches is met. Although the Housing Act is not planning legislation, it is relevant to this application since the unavailability of pitches to cope with identified need becomes a material planning concern.

In this regard the Council produced a Gypsy and Traveller Accommodation Assessment 2015-2020. The assessment determined that within this five-year period there would be a shortfall of four residential pitches, although the great fluidity of such demand is recognised and could be lesser or greater at the time of enquiry. Currently, as the response from the Council's Housing Strategy Team notes, the application has identified an unmet need and the demand for a fixed site of three pitches is justified.

The Circular also advises that the Human Rights Act 1998 (HRA) and the Public Sector Equality Duty (PSED), established by Section 149 of the Equality Act (2010) are germane. The former requires that decisions taken must respect private and family life and the home, and peaceful enjoyment of their possessions. The PSED is relevant because of the protected characteristics of the Applicant.

A further factor is that the requirements set out within of Article 3 of the United Nations Convention on the Rights of the Child (UNCRC) must be considered. The Article states that the best interests of children must be a primary consideration in making decisions that may affect them. All relevant adults should do what is best for children and when decisions are made, the impact on the child must be considered.

Article 3 applies in this case and it is evident that if the application did not gain consent the outcome would undoubtedly be disruptive to family life and in particular that of the younger family members.

Although, as a national treaty, the UNCRC has not been incorporated directly into domestic law, it has been recognised at Parliamentary level that its principles often guide practice and are often referred to by the courts when interpreting human rights.

Cognizant of these additional material matters, the courts have held that the identified harm to the public interest, i.e., the detriment to highway safety, must be balanced against the rights and personal circumstances of the Applicant. Article 8 of the European Convention on Human Rights states that "Everyone has the right to respect for his private and family life, his home and his correspondence".

Article 8 also instructs that "There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the

protection of health or morals, or for the protection of the rights and freedoms of others.”

In this regard, the Council’s Highways and Transportation Section has adopted a position that the highway infrastructure is unsuitable to support the development. However, given paragraph 39 of the Circular, which states that sites in the countryside, away from existing settlements, can be considered for Gypsy and Traveller sites, the recommendation to Members is that the identified highway safety concerns, are outweighed by the personal circumstances of the Applicant and his family.

Community Infrastructure Levy (CIL) Liability

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

The Council’s Solicitor has advised that although the touring caravan and static caravan are unlikely to amount to a building for the purposes of planning and CIL liability, this would not be the case for a permanent utility/day room, the three of which would have a combined internal floor space of just over 188m²

Consequently, part of the development is of a kind that is liable for a charge under the CIL Regulations 2010 (as amended). The application lies within Zone 3 of Rhondda Cynon Taf’s Residential Charging Zones, where there is a liability of £85m² for residential development (including extensions to dwellings over 100m²).

The CIL (including indexation) for this development is therefore expected to be £21,875.48.

Conclusion

National planning policy and guidance clearly acknowledges that locations outside of the settlement boundary may be justified for Gypsy and Traveller sites, and indeed may be preferable.

Such countryside locations are unlikely to benefit from streetlighting, pavements and drainage, or accord with active travel aspirations, although the un-named road does actually benefit from several informal passing points within the verge, which allows vehicles to pass.

Consequently, it is logical that less material weight has been given to the representation and objection from the Council’s Highways and Transportation Section.

For the reasons given in the preceding sections of the report, greater weight has been attributed to the Applicant’s personal circumstances, the absence of any alternative sites and the wider material considerations that must be taken into account. In the overall planning balance therefore, the application is recommended for approval.

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

1. The development hereby approved shall be completed in accordance with the approved drawings and documents:
 - 02b
 - 03e
 - 04b
 - 05a

and details and documents received on 15th July 2020, 13th August 2020, 1st September 2020 and 6th December 2021.

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

2. Notwithstanding the approved plans, the proposed new hedge planting, shown on drawing no. 03e for the purposes of forming garden boundaries, shall comprise only of locally sourced Hazel.

Reason: In the interests of biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

3. Within three months of the completion of development, the recommended bat mitigation measures outlined in Section 5 of the Elite Ecology Bat Transect Survey, dated November 2021 shall be implemented on site and maintained in good order thereafter. No other external lighting shall be erected at the site or affixed to any structures without the prior consent of the Local Planning Authority.

Reason: In the interests of protected species in accordance with PPW 11 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. This remediation strategy shall be carried out as approved.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without

unacceptable risk, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. The site shall not be occupied by any persons other than Gypsies and Travellers as defined in paragraph 3 of Welsh Government Circular 005/2018 'Planning for Gypsy and Traveller Caravan Sites'.

Reason: In order to ensure that the accommodation is occupied solely by Gypsy/Travellers, since the land would not be suitable for other residential purposes due to its unsustainable location outside the settlement boundary, in accordance with Policies AW2 and SSA13 of the Rhondda Cynon Taf Local Development Plan.

6. No commercial activities shall take place on the land, including the storage of materials.

Reason: In the interest of the character and appearance of the site and conserving the rural character and appearance of the area, in accordance with Policies AW5, SSA 22 and SSA23 of the Rhondda Cynon Taf Local Development Plan.

7. The occupation of the land hereby permitted shall be carried on by Mr Nathan Price, immediate family members and their resident dependants. When the land ceases to be occupied by any of those individuals the use hereby permitted shall cease and all mobile homes, static/touring caravans, portable structures, materials and equipment brought on to the land, shall be removed and the land shall be restored to its condition before the development took place within six calendar months of that date.

Reason: In order to ensure that the accommodation is occupied by those whose personal circumstances are material to the decision.

8. There shall be no more than the three pitches hereby approved on the site and no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than one shall be a static caravan or mobile home) shall be stationed on each one of the three pitches at any time.

Reason: To define the scope of the consent and in the interests of visual amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0806/16 (DJB)
APPLICANT: Keolis Amey
DEVELOPMENT: The submission of reserved matter details (pursuant to condition 9 of consent 19/0380/15) for Phase 2 highway works, incorporating the remodelling of Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot; together with the submission of materials and boundary treatment details, as they relate to Phase 2 (pursuant to conditions 28 and 30 of consent 19/0380/15); and, an updated phasing plan (pursuant to condition 41 of consent 19/0380/15).
(Additional and/or new information received: 14/09/21 (Taffs Well Station Car Park Feasibility Study (05/08/21))

LOCATION: **LAND AT GARTH WORKS INDUSTRIAL ESTATE AND TAFF'S WELL RAILWAY STATION, WEST OF THE A470**

DATE REGISTERED: 05/08/2020
ELECTORAL DIVISION: Ffynon Taf

RECOMMENDATION: Approve, subject to a S.106 Planning Obligation

The proposal represents the second submission of reserved matters (pursuant to the outline element of 'hybrid' consent 19/0380/15) and comprises Phase 2 of the wider scheme.

19/0380/15 establishes in principle the need for the highway remodelling works at Ffordd Bleddyn and Cardiff Road in order to facilitate rail access into the proposed Taffs Well Rail Depot.

The proposed works constitute an essential element to a major development and significant investment within the County Borough. It is considered that the development can be undertaken at the site without having significant adverse impacts within the locality. The application proposal is assessed to comply in

APPLICATION DETAILS

Background and Context to the Application

In July 2018 Committee considered hybrid application 18/0314, (part full and part outline) submitted by Transport for Wales (TfW) for the demolition of the existing building at the Garth Works site and the creation of a rolling stock depot facility together with ancillary works, car parking and improvement works to Taffs Well Railway Station. That application was approved, with the decision notice dated 1 August 2018.

Subsequently a further s.73 application (19/0380) was submitted following the appointment of KeilosAmey (KA) as the Operator and Development Partner (ODP).

KA reviewed the plans approved under 18/0314 and as a result submitted 19/0380, which proposed a number of changes to the approved indicative masterplan, which would also result in modifications to approved section and elevation drawings.

Application 19/0380 was made under Section 73 of the Planning Act and in effect sought not to comply with condition 10 – list of approved plans (as imposed on 18/0314) by replacing it by a condition which lists the plans of the modified rolling stock depot and Taffs Well railway station, thereby allowing reserved matters application/s to come forward in line with the parameters set within the modified plans.

Members of Committee were advised when considering 19/0380 (at the 3 October 2019 meeting of Planning & Development Committee) that approval of the application (19/0380) will still mean it is necessary for KA/TfW to submit detailed submissions for the matters reserved by the outline planning permission – i.e. layout, scale and appearance of the buildings, the means of access thereto and the landscaping.

This current reserved matters submission application for the highway remodelling works to Ffordd Bleddyn and Cardiff Road represents Phase 2 of the scheme and the second submission of reserved matters. The extent of this Phase 2 site, is shown within the context of the larger, wider site on the submitted Phasing Plan (rev P01, date 26/06/20).

(Note: Since the original submission was made a number of technical highway revisions have been made and suitably amended and/or additional information submitted. These submissions follow, in the main, detailed assessment of the proposals by the Council's Highway Development Control Section).

The scope of this current submission also seeks approval of details of materials (condition 28 of 19/0380 refers) and boundary treatment details (condition 30 of 19/0380 refers) in as far as they relate to the Phase 2 works proposed. In addition approval is also sought for the updated Phasing Plan (as referred to above), pursuant to condition 41 of consent 19/0380.

To give some context as to how this phase of works fits into the wider Taffs Well Rail Depot scheme the list of applications below confirm the other reserved matter submissions have also been lodged with the Local Planning Authority in respect of other phases of the scheme:

- Phase 1 (20/0161) CVLICC building – Approved 12/08/20
- Phase 2 (20/0806) This application
- Phase 2A (20/1369) Engineering works comprising piling works associated with proposed Ffordd Bleddyn bridge – Approved 23/12/21
- Phase 3 (21/0568) New South Wales Metro Core Valley Lines main depot facility (also on this agenda for Committee's consideration and determination)
- Phase 4 (21/1095) Demolition of existing Taffs Well Railway Station pedestrian railway bridge and replacement with new bridge, incorporating lifts – to be determined

In conjunction with each of these reserved matter submissions noted above there sits a separate application seeking a discharge of conditions (as imposed on the 19/0380 consent) as relevant to that individual phase of the development.

In the case of Phase 2 (this application) the relevant discharge of condition application is 21/1256, which seeks in respect of Phase 2 the discharge of conditions 18 (CEMP – Construction Environmental Management Plan), 25 (CMS – Construction Method Statement), 38 (CNMP – Construction Noise Management Plan) and 39 (Construction Hours).

Other pre-commencement conditions as imposed on Part B (the outline element) of 19/0380 apply site wide and have been the subject of earlier discharge of condition applications which have been submitted to and granted by the LPA. Those considered relevant to Phase 2 are condition nos. 11, 14, 29, 31, 34, 35, 36, 37, 40 and 42.

Further discharge of condition application/s will be forthcoming in respect of conditions 21, 24 (both highway details) and 32 (drainage details), as they relate and apply to the Phase 2 works.

SITE APPRAISAL

The application site effectively incorporates the extent of the length of Ffordd Bleddyn from a point approximately 35m to the north of the northern extent of the dedicated Taffs Well Railway Station car park down to the junction with Cardiff Road at the southern extent. The submitted plan also confirms that elements of Cardiff Road,

either side of the Ffordd Bleddyn junction, lie within the application site, thereby creating a hammerhead shape to the defined Phase 2 reserved matters site at this point. An initial length of the main vehicular access into the Depot site itself, which will be taken from a new roundabout feature, is also included within the Phase 2 works.

The former Garth Works Industrial Estate buildings have now been cleared from the site and consented site preparatory works are now well advanced. Ffordd Bleddyn itself has been closed to vehicular traffic at the southern (Cardiff Road) end for some months now and a significant amount of inert material, required as part of the construction works, has been deposited on the carriageway.

The Core Valley Lines Integrated Control Centre (CVLICC) building (approved in August 2020), which represents Phase 1 of the overall development, is now largely externally complete and stands at the northern end of the overall scheme site.

PLANNING HISTORY

The former Garth Works Industrial Estate had a long planning history, with a high number of relatively minor and advertisement applications, relating to individual buildings/units within the former Estate. However, that has now been cleared and so only the recent relevant applications associated with the KA/TfW scheme are referred to below. *(It should be noted that the history below does not list every single application submitted. In addition to the main applications referred to below there have also been a number of Discharge of Condition and Non-Material Amendment applications relating to both 18/0314 and 19/0380 and the individual Phases of development).*

- | | |
|---------|---|
| 21/1095 | Phase 4 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for the demolition of the existing Taffs Well Railway Station pedestrian footbridge and replacement with new footbridge, incorporating lifts
Still to be determined |
| 21/0568 | Phase 3 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for the creation of a new South Wales Metro Core Valley Lines main depot facility
<i>(also on this agenda for Committee's consideration and determination)</i> |
| 20/1369 | Phase 2A submission of reserved matters (pursuant to condition 9 of consent 19/0380) for engineering works comprising piling works associated with proposed Ffordd Bleddyn bridge
Approved 23/12/21 |
| 20/0806 | Phase 2 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for highway works, incorporating the remodelling of
Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot
<i>(current application, subject of this report)</i> |

- 20/0161 Phase 1 submission of reserved matters (pursuant to condition 9 of 19/0380) for the erection of a new Core Valley Lines Integrated Control Centre (CVLICC) building.
Approved 12/08/20
- 19/0380 Section 73 application seeking amendments to Condition 10 as imposed on 'hybrid' planning permission 18/0314 (which granted (A) full planning permission for the demolition of existing buildings on the Garth Works Industrial Estate part of the site; and (B) outline planning permissions for a rolling stock depot comprising of a warehousing building, stabling area accommodating rolling stock, substation, wash down point, sanding facility and delivery tracks, ancillary workshop and offices, decked car parking providing maximum of 214 car parking spaces, demolition and relocation of existing railway footbridge and platforms, and associated landscaping, highways and access infrastructure works
Cond. Perm 09/10/19
- 18/0314 Hybrid Planning Application to deliver a rolling stock depot on the existing Garth Works Industrial Estate site comprising of the following: Part A: Full planning application for the demolition of existing warehouses on the existing Garth Works Industrial Estate site.
Part B: Outline planning application to provide a rolling stock depot comprising of a warehousing building, stabling area accommodating rolling stock, substation, wash down point, sanding facility and delivery tracks, ancillary workshop and offices, decked car parking providing a maximum of 214 car parking spaces, demolition and relocation of existing railway footbridge and platforms, and associated landscaping, highways and access infrastructure works.
Cond. Perm 01/08/18

PUBLICITY

The application has been advertised by means of the posting of site notices in the vicinity of the site and by direct neighbour notification letter.

No responses have been received.

CONSULTATION

RCT Highway Development Control Section – an initial response of highway objection was received which together with raising a significant number of technical highway issues indicated that insufficient information had been submitted in terms of road safety audit, departures from standards, details of appropriate mitigation measures and improvements to shared use cycle route between Ffordd Bleddyn and

RCT/Cardiff CC boundary to allow an assessment of the proposed highway improvements at Ffordd Bleddyn/Cardiff Road to be undertaken.

However, following a significant amount of interaction, over a lengthy period, with the applicant and their highway agents the applicant submitted comprehensive proposals for the remodelling of Ffordd Bleddyn and the signalised junction with Cardiff Road

In light of the assessment of this revised and additional information **no highway objections** are raised, subject to the imposition of a condition to ensure suitable alternative provision for users of the Taff Trail (NCN Route 8) is provided and maintained throughout the construction period.

It is also noted that the Highway Authority will also require the applicant/developer to:

- Enter into legally binding agreements under sections 38 and 278 of the Highways Act 1980 and section 111 of the Local Government Act 1972;
- Undertake statutory consultations in respect of any Traffic Regulation Orders (TROs) associated with the development;
- Provide commuted sums for any highway infrastructure that requires extra over maintenance liability; and,
- Progress the stopping up of areas of existing highway to accommodate the development, under the provisions of section 247 of the Planning Act.

Welsh Government – Transport (Network Management Division) – Welsh Government does **not object** although a full s.278 (of the Highway Act) agreement shall be entered into.

Notwithstanding the s.278 process and prior to entering into this, design works shall also be accompanied by a structural assessment of the effect of the carriageway realignment on the bridge in accordance with CS454 with the required provision of an assessment certificate.

The existing parapet is not suitable for mounted cyclists on the NMU Active Travel route. This should meet standards and be amended a part of the s.278 detailed design drawings

RCT Public Health & Protection – no objections have been raised to the works the subject of this reserved matters submission. However, significant concerns have been raised in respect of the detail submitted in respect of the Phase 2 associated discharge of condition/s application 21/1256, with particular reference to condition 38 (CNMP- Construction Noise Management Plan). Whilst no objection has been raised to the indicated periods of daytime working, there is clear concern expressed in respect of the anticipated noise levels likely to experienced by the occupiers of some nearby properties during some periods of night time working.

RCT Flood Risk Management – raise **no objections** to the application, subject to compliance with the requirements of the drainage conditions (32 and 33) as imposed

on the outline planning permission. It is also highlighted that the applicant will also need to attain approval under the SuDs consenting regime, approval for which lies outside scope of planning approval.

Natural Resources Wales – have **no objection** to the proposed development as submitted.

Dwr Cymru/Welsh Water – We have **no objection** to the application for approval of the reserved matters subject to compliance with the requirements of the drainage conditions imposed on the outline planning permission, and the subsequent applications to vary the conditions thereon

Western Power Distribution (Electricity) – **no objections** raised but advise that they would require the applicant to apply to Western Power Distribution if they require a new connection or a service diversion.

Sustrans – indicate **support** this development which is an essential section of infrastructure to our future CVL transport system. However, comments are made in respect of the need to ensure that the scheme is fully compliant with Active Travel Design Guidance having regard to the interests of pedestrians and cyclists.

POLICY CONTEXT

The LDP policy context set out below is as was indicated in respect of the whole, wider scheme in respect of 19/0380.

Rhondda Cynon Taf Local Development Plan (LDP)

The application site lies entirely within defined settlement limits.

Core policies

Policy CS2 – confirms that in respect of development in the Southern Strategy Area the emphasis will be on sustainable growth that benefits the County Borough as a whole. 8 key criteria that will be considered in seeking to achieve this aim are identified. Criteria specifically relevant to this proposal are noted below:

Criteria 2 – states that “Protecting the culture and identity of communities by focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings”

Criteria 5 – states that “Providing opportunities for significant inward investment, in suitable locations, that will benefit the economy of Rhondda Cynon Taf and the Capital Region”

Criteria 6 – states that “Reducing daily out commuting by private car and promoting sustainable forms of transport”

Criteria 8 – states that “Promoting and enhancing transport infrastructure services to support growth and investment”

Policy CS8 (Transportation) identifies the need for the provision of public transport improvements, as part of wider strategic transportation network improvements, within the County Borough.

Area Wide policies

Policy AW2 – promotes development in sustainable locations. Sustainable locations are defined by a number of criteria.

Criteria specifically relevant to this proposal are noted below:

Criteria 1 – are within defined settlement boundaries

Criteria 2 – sites where the proposed use would not conflict with adjoining uses

Criteria 3 – sites that have a good accessibility by a range of transport modes

Criteria 4 – sites with good access to key services and facilities

Criteria 6 – support the roles and functions of the Principal Towns, Key Settlements and Small Settlements

Criteria 8 – sites that are well related to utility services

Policy AW4 – provides for the negotiation of planning obligations

Policy AW5 - identifies design criteria (under the headings of Amenity and Accessibility) for new development.

Policy AW6 - supports development that promotes high quality design which makes a positive contribution to place making.

Policy AW7 - seeks to protect and enhance the built environment.

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

Policy AW10 – confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity (identified issues include air pollution, light pollution, noise pollution, water pollution, contamination, landfill gas, land instability and flooding or any other identified risk to the environment, local amenity and public health or safety).

Policy AW11 – seeks to only allow the appropriate re-use of existing employment and/or Retail Uses

Southern Strategy Area policies

Policy SSA20 – confirms that provision for Park and Ride (P&R) facilities will be provided within the identified developments, no.6 in the list of 6 sites being Taffs Well Station

Supplementary Planning Guidance

Rhondda Cynon Taf LDP SPG – Design and Placemaking (March 2011)

Rhondda Cynon Taf LDP SPG – Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011)

Rhondda Cynon Taf LDP SPG – The Historic Built Environment (March 2011)

Rhondda Cynon Taf LDP SPG – Nature Conservation (March 2011)

Rhondda Cynon Taf LDP SPG – Planning Obligations (December 2014)

Rhondda Cynon Taf LDP SPG – Employment and Skills (June 2015)

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). *(This was after the granting of the 'hybrid' application 19/0380/15).*

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.

PPW at Chapter 4 (Active and Social Places) at para. 4.1 (Transport) states that the planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. Para. 4.1.9 confirms that Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.

Para. 5.3.6 states that planning authorities must promote and facilitate the provision and decarbonisation of high quality public transport infrastructure...which could include improved facilities for park and ride schemes, new rail lines, including light rail, the provision of enhanced passenger services on existing lines.

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
- Policy 2 – Shaping Urban Growth
- Policy 3 – Supporting Urban Growth

- Policy 6 – Town Centre First *(although this site itself doesn't lie within a town centre, it should be recognised that the development as a whole has a much wider significance in terms of supporting towns centres, such as Pontypridd and Aberdare, by facilitating the significant improvements to the Core Valley Lines rail network)*
- Policy 9 - Resilient Ecological Networks and Green Infrastructure Planning

Policy Wales Technical Advice Notes (TANs)

- TAN 5: Nature Conservation and Planning (2009)
- TAN 11: Noise (1997)
- TAN 12 Design (2016)
- TAN 15: Development & Flood Risk (2004)
- TAN 18: Transportation (2007)
- TAN 23: Economic Development (2014)
- TAN 24: The Historic Environment (2017)

Government Circulars Other Relevant Documents

- Welsh Government Circular 016/2014: The use of Planning Conditions for Development Management

Other relevant Welsh Government Documents

- The Wales Transport Strategy 2021 – sets out the overall vision as to how Wales's transport system can help deliver Welsh Government's priorities, helping to create a more prosperous, green and equal society. *(At 7.3 of the published (10 March 2021) document the Strategy identifies delivery of the transport Metro systems (in all parts of Wales) as a Welsh Government priority over the next five years).*
- Wales Infrastructure Investment Plan – this sets the context for investment infrastructure in Wales, including transport infrastructure.
- Welsh Transport Appraisal Guidance (WelTAG) – a framework for assessing the impact and benefits of proposed transport interventions. It is aligned with the seven national well-being goals.

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.

PLANNING CONSIDERATIONS

The proposed highway works, incorporating the remodelling of Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot represent Phase 2 of the wider scheme for which the principle has already been established by virtue of the 18/0314 and 19/0380 consents.

It should be noted that the detail submitted with both the 18/0314 and 19/0380 applications indicated the provision of a second bridge running beneath Cardiff Road. This would have provided a second link from the Depot to the railway line. However, since the initial submission of this reserved matters application the Cardiff Road bridge has been withdrawn from the scope of the Taffs Well depot and has therefore been withdrawn from this submission of reserved matters.

It is understood that some significant utilities infrastructure was found to lie in a position (or in such close proximity) that would have required major diversion works to be undertaken. Such works would have had both significant cost and time implications for the delivery of the overall scheme. Accordingly, this second bridge was omitted and the scheme redesigned to function by only having the one bridge, with the twin track link between the depot and the railway line running beneath the remodelled Ffordd Bleddyn, as is the current proposal.

It is considered that the main issues in the consideration of this application are the technical highway aspects of the proposals, including and the consideration given to pedestrians and cyclists. In addition the impacts on the amenity of the nearest residential occupiers, together with the visual impacts of the remodelled highway require careful consideration.

Issues of Highways/Access/Traffic (pedestrian/cyclist/vehicular)

The submitted proposals for the remodelling of Ffordd Bleddyn and the signalised junction with Cardiff Road are proposed to accommodate a rail (under) and road access from Ffordd Bleddyn into the proposed new South Wales Metro Core Valley Lines main depot facility.

The works consist of:

- construction of a new arm from the existing roundabout to provide access to the CVLICC building, as approved as Phase 1 of the development under 20/0161.
- construction of a new roundabout junction on Ffordd Bleddyn to provide access to the Rail Depot Site.
- Construction of a new 'in/out' junction at the northern end of the Taffs Well Railway Station car park onto Ffordd Bleddyn. *(This will replace the current access point at the southern end of the car park which will be closed).*

- changes to the vertical alignment of the road to accommodate the under-bridge rail access to the depot including piled retaining walls.
- construction of bridge structure and wing walls.
- provision of new highway drainage system.
- provision of 3m wide shared use pedestrian/cycle path along the eastern road edge to form part of the Taff Trail
- provision of drop-off/pick up bay to the western side of Ffordd Bleddyn adjacent to the station.
- provision of a zebra pedestrian crossing at Ffordd Bleddyn to accommodate both pedestrian and cycle use.
- replacement of traffic signals at the junction of Cardiff Road with Ffordd Bleddyn to incorporate traffic detection at Cemetery Road and Toucan crossing facilities.
- vehicle restraint barriers, pedestrian guardrail and temporary post and rail fencing to secure the site frontage until such time that permanent security fencing is erected as part of the Phase 3 (Depot) works.

The sequencing of the stages of construction of the proposed works is set out in the Construction Method Statement (CMS) submitted in respect of condition 25, under discharge of condition/s application 21/1256.

- Phase 1 this initial stage includes the bridge and structures works and include bridge excavation, bridge construction and associated works.
- A short phase 1c allows for the lengthening of an existing footpath and the upgrading of traffic signals.
- Phase 2 (which will overlap with phase 1b) will create the new entrance at the northern end of the Taffs Well Railway Station car park.
- The elements of phase 3 provide for new deep drainage runs for the highway.
- Phase 4 incorporates the scope of highway 'civils' work within the 'south west roundabout quadrant' area – which is opposite the entrance into/from the CVLICC building.
- Phase 5 incorporates the scope of highway 'civils' work within the 'north west roundabout quadrant' area – which is opposite the entrance into/from the CVLICC building
- Phase 6 incorporates the scope of highway 'civils' work within the 'north east half of the roundabout' area – which is outside the entrance into/from the CVLICC building
- Phase 7 provides for site clearance works on the east half of Ffordd Bleddyn, in order to generate as much space for working on the west half.
- Phase 8 incorporates the roadworks to the western half of Ffordd Bleddyn.

- Phase 9 incorporates the roadworks to the eastern half of Ffordd Bleddyn and the southern roundabout area.
- Phase 10 incorporates the roadworks on the eastern half of (the southern part of) Ffordd Bleddyn.
- Phase 11 for the carrying out of roadworks that depend on the entire area of Ffordd Bleddyn either side of the southern roundabout.
- Phase 12 roadworks carried out under night shift closures to the northern extent of Ffordd Bleddyn in proximity to the station car park and CVLICC building access entrances.
- Phase 13 comprises the roadworks at the southern end of Ffordd Bleddyn and includes works to its junction with Cardiff Road, together with the Cardiff Road junction with Cemetery Road (*Upon completion of phase 13 the Ffordd Bleddyn highway will re-open in full, as will the East footpath/Taff Trail*).
- Phase 14 provides for the roadworks required within the southern half of Cardiff Road across the junctions with Ffordd Bleddyn and Cemetery Road.
- Phase 15 (to be carried out under weekday night shift road closures) allows for final construction operations that depend on the junction areas of Cardiff Road, Cemetery Road and Ffordd Bleddyn.

There has been considerable dialogue, over a period of more than a year, between the Council's Highway Officers and the applicant and their Highway consultants to get to the current position.

It is considered that the proposals are now in a form that are satisfactory in highway functionality and safety terms and that any minor outstanding issues can be satisfactorily dealt with under the required technical highway agreements and approval of the required discharge of condition/s submission/s required in respect of conditions 21 and 24, as imposed on 19/0380 (as they relate to these Phase 2 works).

The highway remodelling proposals in their technical scope and nature are very much as anticipated from the 19/0380 hybrid application, albeit recognising that the second underbridge, beneath Cardiff Road no longer forms part of the proposed scheme. However, one aspect that has changed significantly in its scope is the anticipated timescale for the length of required closure of Ffordd Bleddyn as a consequence of the proposed works.

The information presented by the applicant at the 19/0380 hybrid (outline) stage (when two bridges were being proposed – one under Cardiff Road and one under Ffordd Bleddyn) indicated the following lengths of anticipated closure (*extracts taken from the Committee report presented to the 3 October 2019 meeting of this Committee*):

- *works to create the new bridge structure under Cardiff Road it is indicated that in total the works would comprise a 12 month construction period in the highway, with one lane fully closed for 9 months and with 6 months of overnight lane/road closures. Option 2 identifies a 'Jack Box' construction solution which would require a total construction period of 7 months, but only 2 months of construction in the highway and 4 weeks of overnight lane/road closures.*

- *The works to create the bridge under Ffordd Bleddyn would see, under Option 1 (a piled solution) a total construction period of 14 months, with one lane fully closed for 9 months, overnight lane/road closures for 6 months. Under the Box Jacked, Option 2 solution the total construction period would be 7 months, with 4 of those months requiring works in the highway, together with 8 weeks of overnight lane/road closures. In addition a full Ffordd Bleddyn road closure for up to 8-12 weeks.*

As part of their current submission the applicant has submitted a document titled 'Ffordd Bleddyn Programme Elongation Review' (dated August 2021).

Within this document it is acknowledged that at the 19/0380 application stage it was anticipated that limited road closures (*as detailed above in the committee report extracts*) would be required.

However, the report notes that ground conditions at the site prevented the preferred method of construction being used and that the design and complexity of the project has developed through the detailed design stage, which has altered the methodology, sequencing and programme of works.

As a consequence of the ground conditions a third option for the bridge beneath Ffordd Bleddyn was developed, which consisted of an in-situ design (i.e. the construction of the bridge structure following excavation of the bridge portal). The ground investigations also identified concerns with the existing sheet piled wall to the east of Ffordd Bleddyn (in that the depth of the existing piles was not sufficient to retain the proposed increase in height along Ffordd Bleddyn highway. Therefore an extension of the proposed retaining wall was required. This along with the revised proposed in-situ bridge box resulted in the need for an extended road closure of 24 months.

Following discussions with Council officers the applicant was asked to review the programme further and investigate opportunities to reduce the 24 month closure period presented.

The main opportunity identified by the applicant to shorten the period was to extend the working hours and increase the proposed periods of night time working, together with some re-scheduling of the depot programme to allow for temporary services diversions to be re-routed around the east of Ffordd Bleddyn, thereby de-linking them from the critical path allowing other activities to commence earlier. These measures were considered to reduce the programme to 14.5 months.

The Highway Development Control Section have raised concern over the closure of Ffordd Bleddyn for this length of time, due to the impact on all highway users and users of the Taff Trail. It should also be recognised that the road has already been closed since late August 2021, without works commencing, albeit it is currently anticipated that the required sheet piling works consented under 20/1369 will start in late January.

Further, it should be recognised that the Council's PH&P Officer has raised significant concern with some of the periods of night time working identified in the applicant's

Construction Noise Management Plan (CNMP), as submitted in seeking a discharge of condition 38, under the scope of discharge of condition application 21/1256.

Accordingly, it is recognised a potential outcome is that in order to satisfy the concerns of night time noise and the adverse impact that would have on some residents that the period of night time working is reduced. This however, would mean the period of road closure extends back up towards (and potentially beyond) the 24 month period initially presented. There is no ideal solution to this predicament and it is considered a balanced view will need to be taken between the interests of reducing the highway closure period and protecting the amenity of those nearest residents from excessive night time noise. The applicant is aware of the Council's concerns in this regard and has been asked to revisit their submitted CNMP and put forward measures of mitigation to address these concerns. The CNMP is being considered under discharge of condition application 21/1256, not this application, which seeks an approval of reserved matters.

As a consequence of the closure of Ffordd Bleddyn site traffic (as was indicated at the 19/0380 stage) is diverted north of the site on the A470 to the Nantgarw interchange and then diverted via Moy Road onto Ffordd Bleddyn from the north. The applicant clearly states that no construction traffic will be allowed through Taffs Well village.

Interests of Non-Motorised Users (NMU) - pedestrians and cyclists

An important consideration in the assessment of the submitted highway details are the provisions incorporated for both pedestrians and cyclists, especially given the location of the site in relation to the Taff Trail, which forms part of the National Cycle Network Route (NCN Route 8). This includes the need to ensure that satisfactory alternative diversionary provision is made for users of the Taff Trail during the construction phase and a condition requiring such provision is recommended.

Following submission of the application comments on the plans/proposals were received from Sustrans who raised comments/concerns with regard to issues such as – the width of shared use paths (SUPs); the location and form of walking and cycling priority crossing points; the provision of appropriate signage; and the fact that the scheme should be compliant with Active Travel Design Guidance and that walkers and cyclists should not be seen as less important than car drivers, in fact they should be seen as more important given they travel sustainably.

Following receipt of these comments the issues raised were highlighted with Transportation colleagues and raised with KA/TfW (including the Active Travel Lead at TfW) and their highway consultants.

As a consequence of the proposed works, closure of a small section of the Taff Trail is required, thereby necessitating a temporary diversion. Initially, prior to the commencement of the initial sheet piling works (as approved under Phase 2A – 20/1369) a local diversion will be put in place whereby the route is moved from the eastern side of Ffordd Bleddyn to the western side.

However, as works progress and in order to allow the Phase 2 highway remodelling works to be undertaken a temporary diversion, requiring users of the Taff Trail to follow a section of Public Right of Way and utilise Cemetery Road and Forest Road is

proposed. It is anticipated that the physical works required to provide this diversion route will include the provision of advisory cycle lanes and speed cushions on Cemetery Road together with the introduction of new signage and carriageway markings on Forest Road.

Whilst significant progress has already been made in working up this diversion route scheme arrangement the works to enable and secure the provision of the diversion route will be the subject of a separate approval by the Highway Authority, following appropriate statutory public consultation.

Parking

Condition 22 as imposed on the outline (19/0380) permission requires that a minimum of 178 car parking spaces be provided within the (then anticipated) decked park and ride car park. *(This is the same figure as was identified under the initial 18/0314 consent).*

The proposals put forward under 19/0380 indicated an intention to deck over the existing Taffs Well Railway Station P&R car park (providing a two level decked parking facility), as part of what was at that stage identified as Phase 4 of the overall scheme. It was confirmed in the officer's report for 19/0380 that the existing Taffs Well Station P&R car park provides 93 spaces at the time of the consideration of that application.

However, during the course of the submission of this application KA/TfW have indicated that there is no longer an intention to provide this decked car park solution as was previously indicated. Four alternative solutions are now proposed:

- Option 1: Moy Road, within the former Rhys Davies Logistics site, 150m north of Taffs Well Train Station;
- Option 2: within the industrial unit north west of Rhys Davies Logistics depot 350m north of Taffs Well car park;
- Option 3: build a multi storey prefabricated car park south east of Taffs Well Station, within the new depot
- Option 4: in effect implement the original intention of a decked car park on the site of the existing Station P&R car park

KA/TfW have submitted a Taffs Well Station Car Park Feasibility Study outlining the benefits and opportunities presented by each option.

The Study has been considered by Transportation officers, who have agreed with the conclusions of the Study that all 4 options are feasible, with the preferred option being Option 1.

The Option 1 site is the location on the site being developed as the temporary car park, for use by users of the railway station during the course of construction works. However TfW have only secured a lease for use of the site until 2025 and therefore it is considered important that suitable provision is made for an alternative site for parking if control of this site can not be secured on a permanent basis going forward beyond 2025.

It is intended that this matter will be controlled and secured by use of a legally binding S.106 planning obligation.

It is intended that the planning obligation be aligned to this consent (should Members be minded to grant approval) as opposed to the main depot proposal, 21/0568 (also on this agenda). The reason for this being the implementation of works under this consent is likely to come first, thereby triggering a further requirement of the planning obligation which is for the payment of a financial sum towards the costs of the Council appointing a traffic regulation/enforcement officer to help enforce any traffic regulation orders in force within Taffs Well during the construction period of the whole development (*not just the Phase 2 highway works*)

Visual impact and Residential Amenity

In their consideration of 19/0380 (the 'outline' permission) Members noted the fact that the remodelling of Ffordd Bleddyn, in particular its vertical realignment towards the southern end, where it rises to meet Cardiff Road will create a new visual element within the locality. Whilst this will undoubtedly be an evident change in the locality it remains the assessment (as was the case when considering 19/380) that the alteration to a large extent will be seen in the context of the redevelopment of the wider depot site itself (as proposed under 21/0568, also on this agenda). Accordingly, it is not considered that highway remodelling and new under-bridge will introduce visual elements to the area which could be considered as having any significant visual impacts on the wider area or the amenity of nearby residents.

It is not considered that the remodelled highway and the bridge structure and their future use will have any significant impact on the levels of residential amenity currently enjoyed by occupiers of properties to the east in Cardiff Road, Llys Hafan, Alfred's Terrace, Leon Avenue, Anchor Street or Church Street (all these properties lie on the western side of the railway line, whilst Ffordd Beddyn lies on the opposing western side).

However, as noted earlier in this report, one aspect of potential impact on residential amenity that does currently cause concern relates to the projected night time noise levels that would be experienced at some properties as a consequence of some of the periods of proposed night time working. These are concerns being considered until the parallel discharge of condition (38) application, 21/1256 and are matters to be appropriately considered under that submission. However, Members should be assured that full and proper assessment of these issues will be undertaken before any discharge of condition is agreed.

Ecology/Biodiversity

On 23 October 2019 (so 2 weeks after 19/0380 was granted) Welsh Government's Chief Planner wrote to all LPA Heads of Planning advising that Planning Policy Wales (PPW) 10 (since superseded by Edition 11 – February 2021) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit

for biodiversity". This policy and subsequent policies in PPW respond to the Section 6 Duty of the Environment (Wales) Act 2016.

The letter clarified that in light of the legislation and Welsh Government policy outlined above, where biodiversity enhancement is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise it will be necessary to refuse permission.

It is important that biodiversity and ecosystem resilience considerations are taken into account at an early stage in development plan preparation and when proposing or considering development proposals. Planning authorities should be proactive and embed appropriate policies into local development plans to protect against biodiversity loss and secure enhancement.

Securing a net benefit for biodiversity within the context of PPW requires a pragmatic response to the specific circumstances of the site. Working through the step wise approach and if biodiversity loss cannot be completely avoided (i.e. maintained), and has been minimised, it is useful to think of net benefit as a concept to both compensate for loss and look for and secure enhancement opportunities.

At the 19/0380 stage it was confirmed that no part of the (whole scheme) site lies within any local of statutory ecological/habitat designation. However, to the east of the site, on the opposite side of the A470, lies the Fforest Fawr SINC (Site of Interest for Nature Conservation), designated under policy AW8 of the LDP (site no. AW8.157). Slightly further away, to the west of the site lies the River Taff SINC (AW8.142). At a further distance of approximately 0.1km lie elements of the national level designated Cardiff Beech Woods Special Area of Conservation (SAC). The element to the south west lies on the other side of the River Taff and covers the wooded slopes around Taffs Well Quarry (operated by Cemex), on the left as one drives up the hill from Morganstown to Pentyrch. The element of the SAC to the south east of the application site comprises the wooded slopes around Castell Coch.

Appropriate supporting ecological assessment (Preliminary Ecological Appraisal PEA and Bat Survey) information was included within the overall 19/0380 submission. The Council's Ecologist considered the information and raised no objection, subject to the imposition of conditions. In addition, the comments NRW were sought in respect of the proximity of the site of potential impacts on the Cardiff Beech Woods SAC. NRW raised no objection and confirmed their agreement with the conclusions reached in the report presented by the applicant's ecological consultant.

It should be noted that site wide (across the extent of the whole scheme) information has previously been submitted to and agreed (on 14/02/20) by the LPA in respect of conditions 29 (Bat and Bird Mitigation) and condition 31 (Wildlife Protection Plan) as imposed on 19/0380, under discharge of condition application ref 19/1145. It is considered therefore that full and proper consideration has been given to interests of ecology and biodiversity and that the scheme is compliant with local and national planning policy and guidance in this regard.

Other issues

The impact on and consequences for wider interests such as drainage and flood risk, geotechnical issues, noise, lighting and historic environment were fully considered at the outline (19/0380) stage and it is not considered that the details proposed under this current reserved matters submission will result in any greater impacts than those anticipated at the outline stage (with the possible exception of some aspects of construction period night time noise, which is discussed above). Appropriate conditions to address issues were imposed on 19/0380 and those relevant to the development of Phase 2 have either been previously submitted and the details agreed or are under current consideration (with the exception, as noted above, of conditions 21, 24 and 32 for which discharge of condition applications still need to be made).

Conditions 28 (materials), 30 (boundary treatment details) and 41 (phasing plan)

As noted in the application description of development the scope of this application also seeks a discharge of conditions:

- 28 (materials)
- 30 (boundary treatment details)
- 41 (phasing plan)

with specific relevance to the Phase 2 works proposed.

The scheme will utilise standard highway finishes/paving/surfacing and boundary treatments throughout and no objection is raised to the details presented.

The phasing plan submitted (in compliance with condition 41, as imposed on 19/0380) to confirm the scope and extent of Phase 2 within the wider scheme is also seen as acceptable.

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 liable for a charge under the CIL Regulations 2010 (as amended) and therefore no CIL is payable

Section 106 Contributions / Planning Obligations

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

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

- i) necessary to make the development acceptable in planning terms;
- ii) directly related to the development; and,
- iii) fairly and reasonably related in scale and kind to the development.

Planning Policy Wales advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 planning obligation requirements in this case

- i) the payment of a financial sum (the exact figure to be agreed) towards the costs of the Council appointing a traffic regulation/enforcement officer to help enforce any traffic regulation orders in force within Taffs Well during the construction period of the whole development (not just the Phase 2 highway works)
- ii) that the applicant/developer shall provide a minimum of 178 car parking spaces to serve Taffs Well Railway Station. That the applicant/developer confirm which one of four presented options it will pursue by 30 April 2023 and deliver these spaces by the end of the term of the existing car park lease. That the development will not operate unless a minimum of 178 public car parking spaces to serve Taffs Well Railway Station are available.

RECOMMENDATION: Approve, subject completion of the S.106 planning obligation and imposition of the conditions below

1. The development hereby approved shall be carried out in accordance within the following approved plans/drawings:
 - TRAN01-KAW-R0-TAF-DDR-D-HW-000019 P03 - General Arrangement Plan Phase 1 Sheet 1 of 3
 - TRAN01-KAW-R0-TAF-DDR-D-HW-000020 P03 - General Arrangement Plan Phase 1 Sheet 2 of 3
 - TRAN01-KAW-R0-TAF-DDR-D-HW-000021 P03 - General Arrangement Plan Phase 1 Sheet 3 of 3
 - TRAN01-KAW-R0-TAF-DDR-D-HW-000070 P03 – Sign Location Plan Phase 1 Sheet 1 of 3
 - TRAN01-KAW-R0-TAF-DDR-D-HW-000071 P03 - Sign Location Plan Phase 1 Sheet 2 of 3

- TRAN01-KAW-R0-TAF-DDR-D-HW-000072 P03 - Sign Location Plan Phase 1 Sheet 3 of 3
- TRAN01-KAW-R0-TAF-DDR-D-ST-000302 P04 - Ffordd Bleddyn Proposed Highways Structure Layout
- TRAN01-KAW-R0-TAF-DDR-D-ST-000303 P04 - Ffordd Bleddyn General Arrangement
- TRAN01-KAW-R0-TAF-DDR-D-ST-000304 P03- Ffordd Bleddyn General Arrangement
- TRAN01-KAW-R0-TAF-DDR-D-ST-000305 P05 - Ffordd Bleddyn General Arrangement
- TRAN01-KAW-R0-TAF-DDR-D-ST-000306 P03 - Ffordd Bleddyn General Arrangement

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

Reason: In order to define the extent by the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.

2. A suitable diversion route scheme, the detail of which shall be submitted to and agreed in writing by the Local Planning Authority, for all users of the Taff Trail, (NCN Route 8) shall be provided and maintained throughout the construction period of the scope of the Ffordd Bleddyn highway remodelling works hereby approved. The diverted route shall be implemented in accordance with the approved details and be provided and available for use prior to closure of the length of Taff Trail on Ffordd Bleddyn *(for clarity the initial local diversion of this route from the eastern side of Ffordd Bleddyn to the western side does not comprise 'closure' of the route, for the purpose of this condition).*

Reason: To ensure availability of National Cycle Network Route 8, Taff Trail as a strategic route for active travel journeys and to encourage use of sustainable modes of travel in accordance with local and national policy

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PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0568/16 (DJB)
APPLICANT: Amey Infrastructure Wales
DEVELOPMENT: Reserved matters submission (pursuant to outline element of 19/0380/15) made in relation to Phase 3 of the development – the building of the new South Wales Metro Core Valley Lines Main Depot facility (comprising maintenance shed, office and accommodation building; sanding facility; vehicle wash building and plant room; underframe cleaning wash facility; associated electrical infrastructure (generator, low voltage and high voltage switch rooms); gatehouse; staff and visitor parking; internal tracks, train stabling area and associated overhead electricity line infrastructure, gantries and inspection platforms) together with ancillary works of fencing, lighting, security and landscaping.
(Additional and/or new information received: 08/07/21 (General highway arrangement plans, footway cross-section plan/s and shared/segregated footway/cycleway plan/s) ; 14/09/21 (Taffs Well Station Car Park Feasibility Study (05/08/21)).

LOCATION: LAND AT THE FORMER GARTH WORKS INDUSTRIAL ESTATE.

DATE REGISTERED: 19/07/2021
ELECTORAL DIVISION: Ffynon Taf

RECOMMENDATION: Approve

The proposal represents the third submission of reserved matters (pursuant to the outline element of 'hybrid' consent 19/0380/15) and comprises Phase 3 of the wider scheme.

19/0380/15 establishes in principle the establishment of a new rail depot at the site, to service the needs of the South Wales Metro Core Valley Lines network.

The proposed works constitute perhaps the main element of the whole Taffs Well rail scheme project, certainly in size and physical presence, and represent a major development and significant investment within the County Borough. It is considered that the development can be undertaken at the site without having significant adverse impacts within the locality. The application proposal is assessed to comply in the main with the relevant policies of the Council's LDP and national planning policy and guidance

APPLICATION DETAILS

Background and Context to the Application

In July 2018 Committee considered hybrid application 18/0314, (part full and part outline) submitted by Transport for Wales (TfW) for the demolition of the existing building at the Garth Works site and the creation of a rolling stock depot facility together with ancillary works, car parking and improvement works to Taffs Well Railway Station. That application was approved, with the decision notice dated 1 August 2018.

Subsequently a further s.73 application (19/0380) was submitted following the appointment of KeilosAmey (KA) as the Operator and Development Partner (ODP).

KA reviewed the plans approved under 18/0314 and as a result submitted 19/0380, which proposed a number of changes to the approved indicative masterplan, which would also result in modifications to approved section and elevation drawings.

Application 19/0380 was made under Section 73 of the Planning Act and in effect sought not to comply with condition 10 – list of approved plans (as imposed on 18/0314) by replacing it by a condition which lists the plans of the modified rolling stock depot and Taffs Well railway station, thereby allowing reserved matters application/s to come forward in line with the parameters set within the modified plans.

Members of Committee were advised when considering 19/0380 (at the 3 October 2019 meeting of Planning & Development Committee) that approval of the application (19/0380) will still mean it is necessary for KA/TfW to submit detailed submissions for the matters reserved by the outline planning permission – i.e. layout, scale and appearance of the buildings, the means of access thereto and the landscaping.

This current reserved matters submission application for the building of the new South Wales Metro Core Valley Lines Main Depot facility represents Phase 3 of the scheme and the third submission of reserved matters. The extent of this Phase 3 site, is shown within the context of the larger, wider site on the submitted Site Location Plan (TRAN01-ARC-R0-TAF-DDR-A-AR-000002 rev P02).

To give some context as to how this phase of works fits into the wider Taffs Well Rail Depot scheme the list of applications below confirm the other reserved matter submissions have also been lodged with the Local Planning Authority in respect of other phases of the scheme:

- Phase 1 (20/0161) CVLICC building – Approved 12/08/20
- Phase 2 (20/0806) Highway remodelling works to Ffordd Bleddyn (*also on this agenda for Committee’s consideration and determination*)
- Phase 2A (20/1369) Engineering works comprising piling works associated with proposed Ffordd Bleddyn bridge – Approved 23/12/21
- Phase 3 (21/0568) New South Wales Metro Core Valley Lines main depot facility (*this application*)
- Phase 4 (21/1095) Demolition of existing Taffs Well Railway Station pedestrian railway bridge and replacement with new bridge, incorporating lifts – to be determined

In conjunction with each of these reserved matter submissions noted above there sits a separate application seeking a discharge of conditions (as imposed on the 19/0380 consent) as relevant to that individual phase of the development.

In the case of Phase 3 (this application) the relevant discharge of condition application is 21/0849, which seeks in respect of Phase 3 the discharge of conditions 18 (CEMP – Construction Environmental Management Plan), 23 (Vehicle Charging), 25 (CMS – Construction Method Statement), 28 (Materials), 30 (Boundary Treatment), 36 (Operational Noise), 38 (CNMP – Construction Noise Management Plan) and 41 (Phasing).

Other pre-commencement conditions as imposed on Part B (the outline element) of 19/0380 apply site wide and have been the subject of earlier discharge of condition applications which have been submitted to and granted by the LPA. Those considered relevant to Phase 3 are condition nos. 11, 14, 29, 31, 34, 35, 36, 37, 40 and 42.

The proposed depot will facilitate the storage, maintenance, and operation of the new fleet of metro trains that will serve the existing Core Valley Lines (CVL) railway network. The new fleet will consist of max 34 electrified CityLink Tram-Train metro vehicles supplied by Stadler.

The CVL transformation includes a number of upgrades that will modernise the network so that it can support more services of a higher quality. As part of the investment required to transform the rail network, additional depot and stabling facilities are required to accommodate the new fleet of rolling stock. One of the main elements of the whole CVL transformation project is the construction of this new rolling stock depot at Taff’s Well.

In addition to the stabling and maintenance of the fleet, the depot facility will also comprise of an accommodation block consisting of offices, welfare facilities and training rooms for the depot maintenance staff, train drivers and train crew. A car park

and gatehouse building will be constructed to the South of the depot to provide staff parking as well as a means of access control to the depot site.

SITE APPRAISAL

The application site effectively incorporates the extent of the whole of the former Garth Works Industrial Estate, which included the large Forgemasters building, which stood to the eastern side of the site, with the exception of the very northern part for which Phase 1 reserved matters approval (under 20/0161) has already been granted for the CVLICC building, on which work is well advanced, with the building itself appearing substantially complete (at least externally).

The eastern boundary of the site is defined by the alignment of the A470 and its associated highway verge, whilst the western boundary follows for its greater extent the alignment of Ffordd Bleddyn (in its remodelled form, as proposed under submission 20/0806) together with length of the adjacent Taff Trail route. At its southern extent the site truncates beneath Cardiff Road and to the north the site boundary accords with that of the CVLICC building (as approved as Phase 1 of the wider development)

The former Garth Works Industrial Estate buildings have now been cleared from the site and consented site preparatory works are now well advanced. Ffordd Bleddyn itself has been closed to vehicular traffic at the southern (Cardiff Road) end for some months now and a significant amount of inert material, required as part of the construction works, has been deposited on the carriageway.

PLANNING HISTORY

The former Garth Works Industrial Estate had a long planning history, with a high number of relatively minor and advertisement applications, relating to individual buildings/units within the former Estate. However, that has now been cleared and so only the recent relevant applications associated with the KA/TfW scheme are referred to below. *(It should be noted that the history below does not list every single application submitted. In addition to the main applications referred to below there have also been a number of Discharge of Condition and Non-Material Amendment applications relating to both 18/0314 and 19/0380 and the individual Phases of development).*

- | | |
|---------|--|
| 21/1095 | Phase 4 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for the demolition of the existing Taffs Well Railway Station pedestrian footbridge and replacement with new footbridge, incorporating lifts
Still to be determined |
| 21/0568 | Phase 3 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for the creation of a new South Wales Metro Core Valley Lines main depot facility
<i>(current application, subject of this report)</i> |

- 20/1369 Phase 2A submission of reserved matters (pursuant to condition 9 of consent 19/0380) for engineering works comprising piling works associated with proposed Ffordd Bleddyn bridge
Approved 23/12/21
- 20/0806 Phase 2 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for highway works, incorporating the remodelling of Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot
(Also on this agenda for Committee's consideration and determination)
- 20/0161 Phase 1 submission of reserved matters (pursuant to condition 9 of 19/0380) for the erection of a new Core Valley Lines Integrated Control Centre (CVLICC) building.
Approved 12/08/20
- 19/0380 Section 73 application seeking amendments to Condition 10 as imposed on 'hybrid' planning permission 18/0314 (which granted (A) full planning permission for the demolition of existing buildings on the Garth Works Industrial Estate part of the site; and (B) outline planning permissions for a rolling stock depot comprising of a warehousing building, stabling area accommodating rolling stock, substation, wash down point, sanding facility and delivery tracks, ancillary workshop and offices, decked car parking providing maximum of 214 car parking spaces, demolition and relocation of existing railway footbridge and platforms, and associated landscaping, highways and access infrastructure works
Cond. Perm 09/10/19
- 18/0314 Hybrid Planning Application to deliver a rolling stock depot on the existing Garth Works Industrial Estate site comprising of the following: Part A: Full planning application for the demolition of existing warehouses on the existing Garth Works Industrial Estate site. Part B: Outline planning application to provide a rolling stock depot comprising of a warehousing building, stabling area accommodating rolling stock, substation, wash down point, sanding facility and delivery tracks, ancillary workshop and offices, decked car parking providing a maximum of 214 car parking spaces, demolition and relocation of existing railway footbridge and platforms, and associated landscaping, highways and access infrastructure works.
Cond. Perm 01/08/18

PUBLICITY

The application has been advertised by means of the publication of a press notice, the posting of site notices in the vicinity of the site and by direct neighbour notification letter.

Two responses have been received.

The first of these queries the extent of what is being proposed under the scope of the application and points out that night time working at the wider site have impacted on residents as a consequence of the noise and use of lighting.

The second letter makes the following points:

- A restriction should be put in place in respect of the washing and sanding works that no overnight (with effect from 7.00pm-7.00am) working should be allowed to take place;
- The residents of Taffs Well have had little opportunity to oppose these plans, with the depot being imposed on them under the support of Transport for Wales and the Minister;
- The residents of Taffs Well will experience an unnecessary level of undue stress and environmental discomfort if restrictions are not legally applied to protect them;
- Residents are reliant on Rhondda Cynon Taf to ensure that necessary measures are put in place to protect residents;
- Whilst the new electric trains may be quieter (as pointed out by the Minister in a response to a local resident) the associated washing/sanding machinery will be loud, especially if allowed to operate at night;
- The Council should be satisfied that noise levels do not breach acceptable levels. If required the applicant should be requested to undertake further environmental studies;
- The Council should give consideration to providing a pocket of local residents with noise monitoring facilities for a period of time when the operation begins so that assurances can be secured that the development is operating within acceptable levels.

CONSULTATION

RCT Highway Development Control Section – consideration has been given to issues of access, circulation, parking.

No objections are raised and no further conditions suggested on the basis that the conditions imposed by the overarching application 19/0380 would apply to all phased elements of the development.

Welsh Government – Transport (Network Management Division) – Welsh Government does **not object** although a full s.278 (of the Highway Act) agreement shall be entered into.

Notwithstanding the s.278 process and prior to entering into this, design works shall also be accompanied by a structural assessment of the effect of the carriageway realignment on the bridge in accordance with CS454 with the required provision of an assessment certificate.

The existing parapet is not suitable for mounted cyclists on the NMU Active Travel route. This should meet standards and be amended a part of the s.278 detailed design drawings

RCT Public Health & Protection – no objections have been raised to the works the subject of this reserved matters submission.

RCT Flood Risk Management – raise no objections to the application, subject to compliance with the requirements of the drainage conditions as imposed on the outline planning permission. It is also highlighted that the applicant will also need to attain approval under the SuDs consenting regime, approval for which lies outside scope of planning approval.

Natural Resources Wales – have no objection to the proposed development as submitted.

Dwr Cymru/Welsh Water – We have no objection to the application for approval of the reserved matters subject to compliance with the requirements of the drainage conditions imposed on the outline planning permission, and the subsequent applications to vary the conditions thereon

Western Power Distribution (Electricity) – no objections raised but advise that they would require the applicant to apply to Western Power Distribution if they require a new connection or a service diversion.

Sustrans – We are pleased to see that TfW have taken on some of previously expressed design suggestions for the Taff Trail, NCN Route 8 in particular what appears to be a priority crossing over the access road to the CVLICC building.

However, comments are made in respect of the need to ensure that the scheme is fully compliant with Active Travel Design Guidance having regard to the interests of pedestrians and cyclists.

Concern is also expressed about areas where the walking and cycling route runs parallel to the high security fence and the lower level fence on the western side of the car park.

Countryside Section (Ecologist) – ecology interest have been covered through previous submissions. No objections are raised.

Environmental Public Health Service Wales – as this application considers only internal layout, boundary and surface treatments and the appearance of the structures it does not raise any environmental public health concerns and therefore we have no comment.

South Wales Fire and Rescue Service – raise **no objection** but indicate that the developer should consider the need for the provision of:

- Adequate water supplies on the site for firefighting purposes; and
- Access for emergency firefighting appliances

Cadw – have **no objection** to the proposed development

Glamorgan Gwent Archaeological Trust (GGAT) – the current reserved matters application makes no change to our understanding of the archaeological resource and therefore we have **no objection**, subject to the submission of the archaeological report.

Cardiff County Council (adjoining LPA) – raise **no objections**. However, comment is made in respect of the need to ensure full and proper consideration is given to the detail of the Taff Trail in the vicinity of the site and that the quality of this key route is not compromised.

POLICY CONTEXT

The LDP policy context set out below is as was indicated in respect of the whole, wider scheme in respect of 19/0380.

Rhondda Cynon Taf Local Development Plan (LDP)

The application site lies entirely within defined settlement limits.

Core policies

Policy CS2 – confirms that in respect of development in the Southern Strategy Area the emphasis will be on sustainable growth that benefits the County Borough as a whole. 8 key criteria that will be considered in seeking to achieve this aim are identified. Criteria specifically relevant to this proposal are noted below:

Criteria 2 – states that “Protecting the culture and identity of communities by focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings”

Criteria 5 – states that “Providing opportunities for significant inward investment, in suitable locations, that will benefit the economy of Rhondda Cynon Taf and the Capital Region”

Criteria 6 – states that “Reducing daily out commuting by private car and promoting sustainable forms of transport”

Criteria 8 – states that “Promoting and enhancing transport infrastructure services to support growth and investment”

Policy CS8 (Transportation) identifies the need for the provision of public transport improvements, as part of wider strategic transportation network improvements, within the County Borough.

Area Wide policies

Policy AW2 – promotes development in sustainable locations. Sustainable locations are defined by a number of criteria.

Criteria specifically relevant to this proposal are noted below:

Criteria 1 – are within defined settlement boundaries

Criteria 2 – sites where the proposed use would not conflict with adjoining uses

Criteria 3 – sites that have a good accessibility by a range of transport modes

Criteria 4 – sites with good access to key services and facilities

Criteria 6 – support the roles and functions of the Principal Towns, Key Settlements and Small Settlements

Criteria 8 – sites that are well related to utility services

Policy AW4 – provides for the negotiation of planning obligations

Policy AW5 - identifies design criteria (under the headings of Amenity and Accessibility) for new development.

Policy AW6 - supports development that promotes high quality design which makes a positive contribution to place making.

Policy AW7 - seeks to protect and enhance the built environment.

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

Policy AW10 – confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity (identified issues include air pollution, light pollution, noise pollution, water pollution, contamination, landfill gas, land instability and flooding or any other identified risk to the environment, local amenity and public health or safety).

Policy AW11 – seeks to only allow the appropriate re-use of existing employment and/or Retail Uses

Southern Strategy Area policies

Policy SSA20 – confirms that provision for Park and Ride (P&R) facilities will be provided within the identified developments, no.6 in the list of 6 sites being Taffs Well Station

Supplementary Planning Guidance

Rhondda Cynon Taf LDP SPG – Design and Placemaking (March 2011)

Rhondda Cynon Taf LDP SPG – Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011)

Rhondda Cynon Taf LDP SPG – The Historic Built Environment (March 2011)

Rhondda Cynon Taf LDP SPG – Nature Conservation (March 2011)

Rhondda Cynon Taf LDP SPG – Planning Obligations (December 2014)

Rhondda Cynon Taf LDP SPG – Employment and Skills (June 2015)

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). *(This was after the granting of the ‘hybrid’ application 19/0380/15).*

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.

PPW at Chapter 4 (Active and Social Places) at para. 4.1 (Transport) states that the planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. Para. 4.1.9 confirms that Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.

Para. 5.3.6 states that planning authorities must promote and facilitate the provision and decarbonisation of high quality public transport infrastructure...which could include improved facilities for park and ride schemes, new rail lines, including light rail, the provision of enhanced passenger services on existing lines.

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
- Policy 2 – Shaping Urban Growth

- Policy 3 – Supporting Urban Growth
- Policy 6 – Town Centre First (*although this site itself doesn't lie within a town centre, it should be recognised that the development as a whole has a much wider significance in terms of supporting towns centres, such as Pontypridd and Aberdare, by facilitating the significant improvements to the Core Valley Lines rail network*)
- Policy 9 - Resilient Ecological Networks and Green Infrastructure Planning

Policy Wales Technical Advice Notes (TANs)

TAN 5: Nature Conservation and Planning (2009)

TAN 11: Noise (1997)

TAN 12 Design (2016)

TAN 15: Development & Flood Risk (2004)

TAN 18: Transportation (2007)

TAN 23: Economic Development (2014)

TAN 24: The Historic Environment (2017)

Government Circulars Other Relevant Documents

- Welsh Government Circular 016/2014: The use of Planning Conditions for Development Management

Other relevant Welsh Government Documents

- The Wales Transport Strategy 2021 – sets out the overall vision as to how Wales's transport system can help deliver Welsh Government's priorities, helping to create a more prosperous, green and equal society. (*At 7.3 of the published (10 March 2021) document the Strategy identifies delivery of the transport Metro systems (in all parts of Wales) as a Welsh Government priority over the next five years*).
- Wales Infrastructure Investment Plan – this sets the context for investment infrastructure in Wales, including transport infrastructure.
- Welsh Transport Appraisal Guidance (WeITAG) – a framework for assessing the impact and benefits of proposed transport interventions. It is aligned with the seven national well-being goals.

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.

PLANNING CONSIDERATIONS

The proposed building of the new South Wales Metro Core Valley Lines Main Depot facility (comprising maintenance shed, office and accommodation building; sanding facility; vehicle wash building and plant room; underframe cleaning wash facility; associated electrical infrastructure (generator, low voltage and high voltage switch rooms); gatehouse; staff and visitor car parking; internal tracks, train stabling area and associated overhead electricity line infrastructure, gantries and inspection platforms) together with ancillary works of fencing, lighting, security and landscaping represents Phase 3 of the wider scheme for which the principle has already been established by virtue of the 18/0314 and 19/0380 consents.

It should be noted that the detail submitted with both the 18/0314 and 19/0380 outline applications indicated the provision of a second bridge (facilitating a rail link between the depot site and the railway line) running beneath Cardiff Road. This would have provided a second link from the Depot to the railway line. However, prior to the submission of this reserved matters application the Cardiff Road bridge had been withdrawn from the scope of the Taffs Well depot scheme.

It is understood that some significant utilities infrastructure was found to lie in a position (or in such close proximity) that would have required major diversion works to be undertaken. Such works would have had both significant cost and time implications for the delivery of the overall scheme. Accordingly, this second bridge was omitted and the scheme redesigned to function by only having the one bridge, with the twin track link between the depot and the railway line running beneath the remodelled Ffordd Bleddyn, as is the current proposal (*This element is as detailed under application 20/0806*).

Whilst the depot works only represent one phase (Phase 3) of the overall scheme they in reality do bring forward the largest and most physically distinctive element of the whole Taffs Well CVL development.

Constituent elements of the depot site

The creation of the depot facility will incorporate the following elements:

- maintenance shed, office and accommodation building
- sanding facility;
- vehicle wash building
- plant room
- underframe cleaning wash facility
- associated electrical infrastructure (generator, low voltage and high voltage switch rooms)
- gatehouse
- staff and visitor car parking

- internal tracks, train stabling area and associated overhead electricity line infrastructure, gantries and inspection platforms
- and ancillary works of fencing, lighting, security and landscaping represents

The gross internal floor area (GIFA) of the proposed site buildings as indicated by the illustrative 19/0380 outline application had a combined total GIFA of 8,920sq.m. The scale of the buildings has somewhat reduced as a consequence of the design process, since the granting of 19/0380, which has resulted in the buildings the subject of this current reserved matters proposal having a combined GIFA of 7640sq.m. A not insignificant reduction of 1,280sq.m. which has largely been as a consequence of removing a second floor level from the office and accommodation element from the main site building.

The tallest proposed building within the depot is the maintenance shed and this has also reduced in height (albeit only slightly) from that height anticipated at the outline stage, down from 15m to 14.9m.

Across the site the external materials and cladding have been updated with the proposed cladding panels to be used now arranged vertically rather than horizontally as shown within illustrative plans submitted as part of application 19/0380.

Main maintenance shed, office and accommodation building

This is the biggest building on the site and stands to the eastern side of the site, running parallel with the eastern boundary and the A470 beyond. Between the maintenance shed and the eastern boundary stands the enclosed Sanding Shed building and the vehicle machine wash area

The main bulk of the maintenance shed building is approx. 110m in elevational length, facing to the east (A470) and has a depth (width) of some 42.5m. The western elevation, of the whole building, facing inwards and towards Ffordd Bleddyn and Taffs Well Railway Station beyond is longer at some 175m, as this element (falling to a lower two storey height, with a roof parapet) also incorporates the office, staff accommodation/welfare facilities and a cleaners block.

The submitted plans show separate dedicated areas for both KeilosAmy and Stadler staff.

The height of the main maintenance shed (which at it's highest point is lower than the large 15m high Forgemasters building that formerly stood on the site) is largely dictated by the need to accommodate appropriately sized overhead travelling cranes (a 2 tonne crane and a 8 tonne crane will be used), together with monorail hoists and a high level gantry.

The second floor of office accommodation anticipated at the 19/0380 outline stage is now omitted from the scheme, resulting in a less bulky building and a more simplified design approach. Externally it is proposed to in the main utilise grey/anthracite external finishing cladding materials (although the full range of materials are to be considered under discharge of condition/s application 21/0849 – condition 28: materials) with the

specific use of contrasting red and white Trafnidiaeth Cymru-Transport for Wales corporate branding on the main building elevations and red parapet detailing.

Ancillary buildings and equipment

Other than for one very small cleaning store building all the ancillary elements are situated to the north of the of the main maintenance shed building. In the main these are shielded from view, when looking from the west as the majority would be behind the two storey office/accommodation projection of the building.

These elements include - the associated electrical infrastructure (low voltage and high voltage switch rooms); a compressor room; a generator; traction battery store; fire fighting store for battery store and an under frame cleaning wash; a vehicle wash plan room; and, a rainwater harvesting storage area.

Across the site other very minor elements, such as bin waste stores gas cage and workshop bin stores are also provided.

Sanding shed building and vehicle machine wash

Both of these elements stand independently to the east of the main maintenance shed building and are only separated from the eastern boundary by the presence of internal track 14.

The vehicle machine wash in effect operates and has the appearance of a large car wash.

Both the sanding shed building and vehicle machine wash are served by internal track 13.

As with the other smaller buildings/elements identified above it is proposed that the sanding shed building and vehicle machine wash utilise the same range of material colour finishes in order to accord with the much larger maintenance shed building.

At the outline 19/0380 stage it was indicated that the vehicle wash and sanding facility would be situated on the western side of the building. It is considered that the location now proposed to the eastern side of the building is a better solution, in that the maintenance building itself will provide a significant barrier to any potential noise generated by these operations carrying across to properties on the western side of the main railway line, beyond Taffs Well Railway Station (Cardiff Road, Llys Hafan, Alfred's Terrace, Leon Avenue, Anchor Street, Church Street). It does now bring these operations nearer properties to the east (Cemetery Road, Abbey Close, Forest Fach and Wood Cottages on Forest Road). However, all of these are on the eastern (opposite) side of the busy A470 trunk road and at a distance far enough away that it is considered there will not be any significant impacts on residential amenity.

Internal tracks, train stabling area and associated overhead electricity line infrastructure, gantries and inspection platforms

Since the outline 19/0380 stage the depot scheme, as noted earlier in this report, has been re-designed to operate with a single twin track point link to/from the main railway line only, as a consequence of the omission of the Cardiff Road under-bridge.

The link from the depot to the railway line enters/leaves the site at the southern end, just before the adjacent Ffordd Bleddyn/Cardiff Road junction. The works to facilitate the provision of this link are included within the scope of the works submitted under the Phase 2 reserved matters (*which are also on this meeting's agenda for consideration and determination*).

This link wraps around the eastern side of the staff/visitor parking area and can then be routed to the main train/vehicle stabling area (internal track nos. 1-9) which lie to the western side of the main maintenance shed building; be routed into the maintenance shed (internal track nos. 10-12); be routed through the sanding shed and vehicle wash machine (internal track 13); or, be routed around the eastern extent of the site on track 14.

Whilst the associated overhead electricity line infrastructure above the stabling areas has by necessity a somewhat stark functional appearance it is at a level which is below the first floor roof level of the office and accommodation element of the main maintenance shed building. Accordingly, when viewed from the principle western views these elements will be seen against a backdrop of the building and it is not considered will be significantly visually intrusive.

New main access, gatehouse and car parking staff/visitor area

The new main access to/from Ffordd Bleddyn into/from the depot site is a detail covered in the Phase 2 reserved matters application 20/0806 and is to be gained via a spur from/to a new roundabout feature on Ffordd Bleddyn.

On entrance to and exit from the site staff and visitors must pass a gatehouse building (described within the Design and Access Statement as having a 'Pebble' shape). This small building (approx. 9.3m x 9.1m across the widest elevations) will accommodate a small office, parcel room, kitchen, WC, equipment room and cleaner store. Associated security entry/exit barriers are controlled from the gatehouse.

Once past the gatehouse traffic either goes into the staff /visitor parking area or (by passing through additional security controls/gates pass around towards the main maintenance shed building, as driving up along the front of this building accesses 4 disabled parking bays – which are located closer to the building itself than the main area of staff/visitor parking.

The ground level masterplan indicates 114 parking spaces with a further 10 spaces allocated for electric vehicle charging and a further 10 spaces which appear to be allocate for visitor parking. A further 4 disabled parking spaces (referenced above) are identified within the depot complex giving a total parking provision for staff and visitors of 128 spaces.

A further four smaller spaces for motorcycle parking are also provided within the staff carpark together with an area for cycle parking. Sufficient space is available to facilitate provision of additional facilities for cyclists and motorcycles within the depot and carpark should demand arise.

In light of the outline consent where the original masterplan identified 120 spaces for depot staff and visitors and parking for CVLCC staff has been accommodated as part of a separate planning application providing 29 spaces with the permanent park and ride parking is to be delivered by means of a future phase. Therefore, the proposed parking provision for staff and visitors satisfies the requirement set at outline application stage.

No specific parking arrangements are provided for commercial vehicles associated with the depot operations, however, 4 spaces within the staff and visitor car park are oversized to accommodate parking of larger vehicles such as a transit van and the internal access road layout provides sufficient space for such parking provision to be provided within the site.

No specific details of electric vehicle charging infrastructure has been provided beyond the indication of allocated bays, however, this requirement would be addressed by condition 23 of the overarching approval 19/0380/15 (which will be considered as part of the associated discharge of condition/s application 21/0849)

On this basis the parking provision is considered acceptable.

Ancillary works of fencing, security and landscaping

In terms of landscaping finishes across the site then in the main, due to the nature of the operational requirements of the site, these are areas of hard surface finish landscape.

Most of the site in, around and under the internal tracks will be ballasted areas. Areas to the northern and southern ends and along the immediate western facing frontage of the main building, together with the site access will be completed in an asphalt construction finish. Separate footpaths will be identifiable from their finishes. The staff/visitor parking circulation area will be of an impermeable asphalt construction, whilst the individual parking bays themselves will be completed in block paving construction.

A limited area of green landscaping is indicated in the southern extremity of the site and around the fringes of the staff/visitor parking area.

The significant majority of the whole external site boundary (right along the eastern boundary with the A470, across the northern part of the site where it abuts with the area of the (Phase 1) CVLICC building and down the western boundary to the new roundabout and into the site along the northern side of the new site access road) will be secured by a 2.5m high solid panel security fence (with an additional 300mm security topping). The lower part of the western boundary, adjacent to the staff/visitor car parking area and the southern boundary, adjacent to Cardiff Road will be defined by the use of steel post and rail fence and a low security pedestrian steel guardrail.

Whilst a solid panel security fence is not perhaps the most visually attractive there is a clear understanding of the need for security given the nature of the site operation and accordingly no objection is raised to the details submitted.

Phasing of the proposed depot works

KA/TfW's indicated construction programme has slipped from those start dates given within the submission. However, they indicate the following:

- Phase 1 – Maintenance shed and office building (April 2021 - June 2022)
- Phase 2 – Stabling facilities and associated track (May 2021 - August 2022)
- Phase 3 – Car Park and security office/gatehouse (Oct 2021 – Oct 2022)
- Phase 4 – Landscaping and final works (Oct 2021 – Oct 2022)
- Phase 5 – Testing and commissioning (March 2022 – Oct 2022)

Whilst the timescales have slipped it does indicate a full construction period of some 18 months.

As a consequence of the closure of Ffordd Bleddyn construction site traffic connected with the Phase 3 depot works (as was indicated at the 19/0380 stage) is diverted north of the site on the A470 to the Nantgarw interchange and then diverted via Moy Road onto Ffordd Bleddyn from the north. The applicant clearly states that no construction traffic will be allowed through Taffs Well village.

In the case of Phase 3 depot works the discharge of conditions relating to approval of the CEMP – Construction Environmental Management Plan (condition 18), the CMS – Construction Method Statement (condition 25) and the CNMP – Construction Noise Management Plan (condition 38) are amongst those conditions for which agreement is sought under the associated discharge of condition/s application 21/0849.

During the depot construction works which will, to a significant extent, run parallel with the Phase 2 Ffordd Bleddyn highway works part of the Taff Trail will be closed, necessitating the provision of a suitable diverted route prior to such closure. This issue and the solutions proposed are appropriately dealt with under the Phase 2 application 20/0806 report (*also on this agenda*) as those works fall within the parameters of the Phase 2 site, as opposed to the Phase 3 depot site.

Visual impact and Residential Amenity

In their consideration of 19/0380 (the 'outline' permission) Members noted the fact that the new main site maintenance shed building will constitute the biggest and most visually prominent element of the whole scheme. However, it was noted that the height of the building would be no higher (and it is now slightly lower) than the Forgemasters building that used to stand on the site, in approximately the same position.

Whilst the new depot development will undoubtedly create a large new commercial/industrial use in the locality it remains the assessment (as was the case when considering 19/380) that the creation of the depot facility can be accommodated

within the context of the surrounding area without significant detriment to public visual amenity within the wider area or the amenity of nearby residents.

It is not considered that the depot will have any significant impact on the levels of residential amenity currently enjoyed by occupiers of properties to the west of the main railway line in Cardiff Road, Llys Hafan, Alfred's Terrace, Leon Avenue, Anchor Street or Church Street or to the east of the A470 in Cemetery Road (and the estate beyond) or Forest Road.

Ecology/Biodiversity

On 23 October 2019 (so 2 weeks after 19/0380 was granted) Welsh Government's Chief Planner wrote to all LPA Heads of Planning advising that Planning Policy Wales (PPW) 10 (since superseded by Edition 11 – February 2021) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity". This policy and subsequent policies in PPW respond to the Section 6 Duty of the Environment (Wales) Act 2016.

The letter clarified that in light of the legislation and Welsh Government policy outlined above, where biodiversity enhancement is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise it will be necessary to refuse permission.

It is important that biodiversity and ecosystem resilience considerations are taken into account at an early stage in development plan preparation and when proposing or considering development proposals. Planning authorities should be proactive and embed appropriate policies into local development plans to protect against biodiversity loss and secure enhancement.

Securing a net benefit for biodiversity within the context of PPW requires a pragmatic response to the specific circumstances of the site. Working through the step wise approach and if biodiversity loss cannot be completely avoided (i.e. maintained), and has been minimised, it is useful to think of net benefit as a concept to both compensate for loss and look for and secure enhancement opportunities.

At the 19/0380 stage it was confirmed that no part of the (whole scheme) site lies within any local of statutory ecological/habitat designation. However, to the east of the site, on the opposite side of the A470, lies the Fforest Fawr SINC (Site of Interest for Nature Conservation), designated under policy AW8 of the LDP (site no. AW8.157). Slightly further away, to the west of the site lies the River Taff SINC (AW8.142). At a further distance of approximately 0.1km lie elements of the national level designated Cardiff Beech Woods Special Area of Conservation (SAC). The element to the south west lies on the other side of the River Taff and covers the wooded slopes around Taffs Well Quarry (operated by Cemex), on the left as one drives up the hill from Morganstown to Pentyrch. The element of the SAC to the south east of the application site comprises the wooded slopes around Castell Coch.

Appropriate supporting ecological assessment (Preliminary Ecological Appraisal PEA and Bat Survey) information was included within the overall 19/0380 submission. The

Council's Ecologist considered the information and raised no objection, subject to the imposition of conditions. In addition, the comments NRW were sought in respect of the proximity of the site of potential impacts on the Cardiff Beech Woods SAC. NRW raised no objection and confirmed their agreement with the conclusions reached in the report presented by the applicant's ecological consultant.

It should be noted that site wide (across the extent of the whole scheme) information has previously been submitted to and agreed (on 14/02/20) by the LPA in respect of conditions 29 (Bat and Bird Mitigation) and condition 31 (Wildlife Protection Plan) as imposed on 19/0380, under discharge of condition application ref 19/1145. It is considered therefore that full and proper consideration has been given to interests of ecology and biodiversity and that the scheme is compliant with local and national planning policy and guidance in this regard.

Other issues

The impact on and consequences for wider interests such as drainage and flood risk, geotechnical issues, noise, lighting and historic environment were fully considered at the outline (19/0380) stage and it is not considered that the details proposed under this current reserved matters submission will result in any greater impacts than those anticipated at the outline stage. Appropriate conditions to address issues were imposed on 19/0380 and those relevant to the development of Phase 3 have either been previously submitted and the details agreed or are under current consideration.

Community Infrastructure Levy (CIL) Liability

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

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

RECOMMENDATION: Approve, subject to imposition of the condition/s below

1. The development hereby approved shall be carried out in accordance within the following approved plans/drawings:
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000002 Site Location Plan
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000005 Illustrative Masterplan
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000006 Ground Level Masterplan

- TRAN01-ARC-R0-TAF-DDR-A-AR-000007 Proposed Site Sections AA, BB, CC, DD and EE
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000010 Proposed Ground Floor Plan - Main Shed & Offices
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000011 Proposed First Floor Plan - Main Shed & Offices
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000012 Proposed Roof Floor Plan - Main Shed & Offices
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000013 Proposed Elevations - North & South - Main Shed & Offices
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000014 Proposed Elevations - East - Main Shed & Offices
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000015 Proposed Elevations - West - Main Shed & Offices
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000016 Proposed Ground & Roof Plan - Gatehouse
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000017 Proposed Elevations - Gatehouse
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000018 Underframe Cleaning Wash Plans & Elevations
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000021 Ancillary Buildings Plan & Elevations
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000023 Sanding Shed
 - TRAN01-ARC-R0-TAF-DDR-A-AR-000024 Proposed Wash Plant Layout
 - TRAN01-ARC-R0-TAF-DDR-C-CV-503001-P02 (Planning) Site Wide General Arrangement Fencing Layout
 - TRAN01-ARC-R0-TAF-DDR-C-CV-511001-P02 Site Wide General Arrangement Paving Layout (Planning)
- An addendum to the Design and Access Statement submitted with application 19/0380/15 which sets out the modifications to the design as proposed within the reserved matters application.

Reason: In order to define the extent by the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.

PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0773/10 (CA)
APPLICANT: Bexmoor Ltd
DEVELOPMENT: Retention of retail use at ground floor, change of use and re-development of upper floors of the property to provide 6 no. one bedroom residential flats and 1 no. two bedroom flat.
LOCATION: NEW LOOK, 58 CARDIFF STREET, ABERDARE, CF44 7DG
DATE REGISTERED: 02/06/2021
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve

REASONS: The principle of the proposed development is considered acceptable in terms of both national and local planning policy and is compliant in terms of all other material planning considerations

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

The current application seeks planning permission for the restoration and refurbishment of the property retaining retail use on the ground floor and creating a total of 7no. flats, access to the flats is split between Cardiff Street and Bute Street.

The ground floor will be refurbished and reconfigured updating an upgrading the existing retail unit. The existing shopfront will remain and internally the floorspace will be reconfigured with a large trading area served by a lobby kitchen area and WC's. The remainder of the ground floor is given over to access to the flats on the upper floors from both Cardiff Street and Bute Street along with cycle storage areas.

The First floor will be reconfigured to provide three flats 1no. 2 bedroom unit served from the Cardiff Road frontage and 2 no. 1 bedroom units served from Bute Street. The central unit benefits from a light well on the south eastern side of the building where the external wall steps in providing a level of natural light to that unit. Bedrooms and bathrooms are separate from living and dining areas and rooms are of a generous size.

The second floor will be converted to provide 4no. 1 bedroom flats two served from Cardiff Street and two from Bute Street. Here again the two central flats will benefit from the light well. All units again have generous sized rooms and separate bedroom and bathroom facilities.

Externally the overall approach is towards appropriate repair rather than a complete overhaul. The roof will be repaired in matching tiles and the rendered walls window surrounds and cills will be repaired where necessary and repainted. The fascia will be repaired along with the existing wooden sash windows, wooden doors and windows, though the intention is to provide uPVC windows to the rear and courtyard elevations. New metal downpipes will be provided to the front and rear elevations

The application is accompanied by the following:

- Design and Access Statement:

SITE APPRAISAL

The application site comprises a well-established three storey retail property located at 58 Cardiff Street, Aberdare at the heart of the town centre. The property is currently vacant it was last used as a sweet shop and before that was a New Look clothing outlet

The property with the exception of the light well on its south eastern side fills its plot and has frontage and benefits from access on both Cardiff Street and Bute Street.

The property lies within the town centre and as such benefits from a highly sustainable location lying within walking distance of bus and railway services as well as local amenities including, the local sport centre, Aberdare Park and Dare Valley Country Park.

PLANNING HISTORY

13/0015 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign Approved 6th March 2013

02/1751 Fascia Sign Approved 27th January 2003

PUBLICITY

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

CONSULTATION

Transportation – No objections raised or conditions recommended.

Natural Resources Wales – no objection raised the proposals can be made acceptable, subject to the developer being made aware of the potential flood risks to these areas.

Flood Risk Management – From a flood risk perspective, the applicant has proposed a change of use which does not increase the footprint of the building and does not increase the impermeable area, as such we offer no comment.

Public Health & Protection – No objections subject to conditions

Ecology – No objections raised and advises the inclusion of a bat advisory note on any planning permission that might be issued

Waste Services – no response received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 – Advise that in the northern Strategy Area emphasis will be given to building strong, sustainable communities and promoting commercial development in locations which support the roles of principal towns and key settlements

Policy AW1 – sets out how the housing land requirements in Rhondda Cynon Taf will be met.

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

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility 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 - requires development to involve a high quality design and to make a positive contribution to place making, the street scene and have a high level of connectivity and accessibility.

Policy AW7 – provides support for developments that would preserve or enhance the character and appearance of the area

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

Policy AW11 – development proposals promoting alternative uses for retail units identified within 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 NSA1 – relates to development in the principal town of Aberdare and sets criteria for the type of development that will be considered acceptable in the town.

Policy NSA10 – proposals for residential development in the Northern Strategy Area should achieve a minimum density of 30 dwellings per hectare.

Policy NSA12 – addresses housing development within settlement limits 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 NSA13 – supports the rehabilitation and conversion of large buildings for residential purposes subject to criteria.

Policy NSA19 – sets out the criteria for new and improved retail facilities and other uses that are appropriate within the town centre that will be permitted in the retail centre of Aberdare.

Supplementary Planning Guidance

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

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

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed: *(or not in the case of refusals)*

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council land / Placemaking/developers/regeneration/sustainable communities'/exemplar developments.

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
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 application property in this instance is located within the retail centre of Aberdare which the Local Development Plan recognises as a principal retail centre. In addition, the property is also located within the Aberdare Conservation Area.

Policies CS1, NSA1, NSA12 and AW11 are all broadly supportive of the proposals with regard to the policy areas they address whether in respect of retailing or the creation of new residential accommodation through the renovation of an existing building. As such, the principal of the proposed development can be considered acceptable, though subject to an assessment of the criteria set out below and the consideration of policies that relate.

Impact on the character and appearance of the area

The application property is located within the Aberdare Conservation Area, occupying a prominent position on the south western side of Cardiff Street close to its junction with Victoria Square. Only minor external alterations are proposed to the front and rear elevations as described above. The existing shopfront will be retained to Cardiff Road whilst the access on Bute Street would be modified. Windows on the Bute Street frontage are currently metal casement windows so their replacement with uPVC would be something of an improvement and would also match many of the residential properties adjacent.

Consequently, it is considered that the proposed development would have a positive impact on the wider area in terms not only of the visual improvement that it would bring to the building and wider area but also in securing a long term future for the building with long term maintenance.

Impact on amenity and privacy

The property is located within the retail area of the principal town of Aberdare and whilst Cardiff Street is entirely commercial in nature, Bute Street at the rear elevation of the property is residential.

The changes proposed, other than improvements to the external appearance of the building described above, would take place within the existing building envelope. Consequently, the development would not create any overbearing or overshadowing impact to adjacent property beyond that which already exists.

The redevelopment would make use of existing window openings on Cardiff Street and Bute Street. There would be a degree of mutual overlooking created between the windows on the Bute Street elevation and those on the properties that sit opposite this though is considered acceptable in this instance as it reflects existing arrangements between residential properties on Bute Street.

The SPG relating to the development of flats provides support for proposals that do not result in the creation of undue nuisance arising from the intensity of the residential use that flats can create. It is not considered that the creation of the flats currently proposed within the property would result in undue nuisance to neighbouring properties.

The SPG also provides support for a high quality of accommodation and amenity for residents but does not stipulate a minimum floorspace, though in this instance the flats are relatively spacious. It is considered that adequate natural light and ventilation to the windows of habitable rooms could be delivered by the proposed development, though it must also be kept in mind that the flats in the central area which overlook the inner courtyard would have no outlook.

There is little in the way of shared amenities within the building beyond the cycle stores and shared access. The plans make no provision for bins and bin storage due to a lack of suitable space, in response to this the agent has indicated that the only realistic option is for bins to be collected weekly, likely in part by private contractor and for a refuse management plan be put in place via a planning condition.

In the round, the impact of the proposals on the amenity and privacy of neighbouring residents are considered acceptable. Some the flats will not benefit from any outlook of worth but this of itself is not considered sufficient reason to reject the planning application

Access and highway safety

The Councils Transportation Section have been consulted on the proposals and note that there are currently no off street car parking spaces for the existing or proposed use with the building taking up the full curtilage.

In terms of access, Cardiff Street and Bute Street are subject to various traffic restrictions/regulations that limit the potential for on street parking in particular. However, both Cardiff Street and Bute Street are proposed for primary access for the proposed residential use which is considered acceptable

The proposed retail use at ground floor requires up to a maximum of 3 parking spaces, the proposed residential use requires up to a maximum of 11 spaces with none provided

The Transportation Section express concern that the development does not provide any off street car parking space. However, and taking into account that the proposal is located in the centre of the Aberdare retail area, Zone 1 which offers a variety of local facilities, public transport, public car parks on balance the proposal is regarded as acceptable.

The storage areas provided for cycles are considered acceptable.

Taking the above into consideration the Transportation Section advise that, on balance, no highway objection to the proposed development be raised.

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.

Flooding

Members should note that both Natural Resources Wales and Flood Risk Management have commented on this issue and that given the nature of the intended use both regard the proposed development as acceptable

Ecology

Members are asked to note the comments from the ecologist above

Public Health & Protection

No Objections have been received from the Council's Public Health & Protection Division following consultation, although several conditions have been recommended should permission be granted. The conditions relate to hours of operation, construction noise, waste and dust. It is considered that matters relating to these issues can be more efficiently controlled by other legislation

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The site is located in a highly sustainable location with good access to a number of key local services and facilities as well as a range of sustainable transport options. Further, the proposed use of the site would be compatible with surrounding land uses.

It is considered the reuse of the building would provide for the long term maintenance of the building to the benefit and preservation of it and the wider Aberdare Conservation Area.

Whilst the proposal does not provide any off street car parking to serve the proposed development, the town centre location ensures that public transport, public car parks and local amenities are all within easy walking distance which results in less reliance on the private motor vehicle as the main mode of transport.

Notwithstanding that the proposed use would have some impact on the residential amenity and privacy of the occupants of nearby properties this lies within an acceptable range given the nature of the area.

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 following approved plans:

- Site location plan drawing no. 078-01
- Existing ground floor plan drawing no. 078-03
- Existing first floor plan drawing no. 07-04
- Existing second floor plan drawing no. 078-05
- Existing roof plan drawing no. 078-06
- Existing elevations drawing no. 078-07
- Existing Sections drawing no. 078-08
- Existing courtyard elevations drawing no. 078-09
- Proposed ground floor plan drawing no. 078-10
- Proposed first floor plan drawing no. 078-11 Rev 01
- Proposed second floor plan drawing no. 078-12
- Proposed roof plan drawing no. 078-13
- Proposed elevations drawing no. 078-14
- Proposed sections drawing no. 078-15
- Proposed courtyard elevations drawing no. 078-16 Rev 01

unless otherwise to be approved or 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. Building operations shall not be commenced until details of proposed external finishes to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the details so approved.

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

4. Notwithstanding the details submitted on the approved plans prior to the first occupation of any flat hereby approved the developer shall provide the Local Planning Authority with a refuse management plan to serve the proposed development including full details of refuse collection schedules to serve the

development. The agreed plan shall be adhered to at all times unless the Local Planning Authority gives written approval to any variation.

Reason: In the interests of amenity and to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan

PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0946/10 (GD)
APPLICANT: WDL Homes Ltd
DEVELOPMENT: Proposed highway engineering works including access.(revised stie plan received 27/10/21)
LOCATION: LAND AT FORMER ABERDARE HOSPITAL, ABERNANT ROAD, ABER-NANT, ABERDARE
DATE REGISTERED: 05/07/2021
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve subject to conditions

REASONS: The principle of the proposed development is considered acceptable in planning policy terms and there are no other material considerations that would warrant a refusal of the planning application

REASON APPLICATION REPORTED TO COMMITTEE

- Three or more letters of objection have been received;

APPLICATION DETAILS

This application seeks planning permission for improvements to the access road serving the former hospital site from Abernant Road. The works will take place mostly within the former hospital grounds but will involve some improvement works to Abernant Road itself. The proposal comprises the following –

- The widening and improvements to the existing highway and junction from Abernant Road to adoptable standards.
- Construction of the access and first section of highway that will serve the wider hospital site.
- Dedicated walking and cycling link into the site from Abernant Road.
- The existing bridge structure will be replaced with new culvert sections of equal standing as part of the highway infrastructure works.

The road will initially follow the line of the existing highway projecting into the site for nearly 111.5 metres in a north westerly direction before turning northwards for a further 53m. the highway will be of tarmac as would be the footway and cycle path.

The application is accompanied by the following documents:

- Planning Statement;
- Ecology report
- Tree survey
- Arboricultural Impact Assessment
- Access Appraisal
- Ground Investigation Report (desk top).
- Site location plan
- Planning layout
- Spine road arrangement
- Swept path analysis (12m coach access)
- Swept path analysis (12m coach egress)
- Visibility splay
- Tree constraints plan
- Access road initial landscape proposals.

The details submitted in support of the application have perhaps been responsible for some confusion and many residents interpreting the application understandably as representing something more than a submission seeking consent for a road improvement. However, in this instance it is reiterated that this submission only seeks improvements to a relatively short section of road that will serve the development and is being done largely in preparation for ground remediation works to address past mining activity.

SITE APPRAISAL

The application site in this instance comprises the existing hospital access road and its associated verges that enters and traverses the site in a north westerly direction. The site has previously been worked and would have formed the access and service road to the former hospital. A small area of the access into the care home is also included within the red line boundary.

Generally, the site is located north east of the Aberdare town centre and accessed off Abernant Road and formerly served the hospital. The surrounding area is wholly residential in character comprising the village of Abernant north east of Aberdare.

PLANNING HISTORY

The planning history of the site is as follows and relates solely to the former use of the site as a hospital.

11/0896	Prior notification of proposed demolition	Permission not required 19 th August 2011
08/1434	Smoking shelter	Approved 1 st October 2008
04/1821	Modular building extension (x-ray)	Approved 6 th December 2004
01/4010	New car park	Approved 22 nd January 2001
92/0562	Child & family unit	Approved 28 th September 1992
86/0580	Extension for 2no. twenty bed units	No objection 18 th February 1987

PUBLICITY

The application has been advertised by means of press notice, site notice and neighbour notification letters, this has generated eleven responses offering the following observations and objections.

Procedural issues

- Though confined to engineering works the application is clearly preceding a much larger proposal for the residential development of the former Hospital site.
- The application has been inadequately advertised.
- Clearer and more transparent access to application documents on the Council website is required.
- There is a call for a public meeting before the application is presented for consideration and determination by Members.

Highway issues

- The proposals could potentially have a huge impact on the local highway network served as Abernant is by just one road in and out adding substantially to congestion and pollution through Abernant and on the roundabout where traffic would meet the A4059.
- There is a need for a separate and discreet access for the development site and that needs to be considered now.
- Rush hour traffic from the housing scheme will block access to traffic coming from Abernant which needs to pass the same exit proposed for the housing site.

- The development presents an opportunity to construct a back lane to the properties of the side of Abernant Road backing on to the site, which would give residents the opportunity to improve off street parking provision to the wider benefit of highway safety and the free flow of traffic.
- The junction where the new development meets Abernant Road should have a mini roundabout giving every vehicle a fairer chance to keep moving and pedestrians would need to be provided with a central crossing island
- What are the projected highway usage levels?
- The traffic appraisal provided by Asbri Traffic Consultants is disingenuous in comparing traffic flows from the hospital that are 9 years old with current levels.
- To alleviate the concerns over congestion RCT should adopt and upgrade an access via Moss Row.
- The traffic survey was undertaken during a pandemic and is not representative of the traffic that actually use Abernant Road and should be done again.
- Additional traffic will exacerbate existing problems with speeding on Abernant Road.

Trees & Ecology

- The creation of the road will clearly lead to a loss of trees on site.
- If trees are lost it will also lead to a loss of wildlife habitat and the wildlife itself as a consequence.
- The suggested positioning of housing suggests that trees indicated for retention might not be retained.
- The development of the site will result in a tremendous amount of environmental damage and must not be underestimated. Nature has re-established itself in the site in recent years and it now provides a rich habitat for woodland animals and birds. This needs to be maintained and the impacts on these animals kept minimal.

Other

- Does the planned development affect the green spaces beyond the immediate hospital site?
- One individual indicates that his property shares a boundary with the site and the eight houses proposed adjacent and the intervening trees need to be retained.
- Some existing dwellings on Abernant road have gated access into the hospital grounds and these need to be respected.
- The straight line arrangement shown for the realigned stream course may cause the stream to back up or for its banks to overflow.
- The estate will alter the character and beauty of Abernant forever.
- Will the development of houses at the site result in a loss of privacy to existing dwellings given the difference in levels between the site and existing properties on Abernant Road?

- The development of 600 houses will have an adverse impact on the existing quiet ambience of the area.
- The historic entrance gates to the hospital site must be retained in some form.

CONSULTATION

Transportation – No objections subject to conditions.

Natural Resources Wales – express concern at certain aspects of the proposed development but ultimately raise no objection subject to the imposition of conditions on any planning permission that might be issued.

Flood Risk Management – No objections subject to conditions.

Countryside – no objections subject to conditions requiring the implementation of the mitigation measures in schedule 4 of the Ecological Impact Assessment submitted with the planning application

TPO officer – no comments received at the time of preparation of this report any observations received later will be reported verbally.

South Wales Fire and Rescue Service – no observations received

The Coal Authority – agree with the conclusions of the desk study that intrusive investigations should be undertaken prior to construction works taking place and recommend the use of planning conditions to that effect.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for the consideration of development proposals in the northern strategy area with an emphasis on building strong sustainable communities

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

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

Policy AW8 – aims to protect the natural environment from inappropriate development and sets out criteria for consideration when dealing with development proposals.

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

Policy NSA7 – allocates land at Robertstown/Abernant for amongst other things residential development.

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking

National Guidance

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

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

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

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed: *(or not in the case of refusals)*

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council land / Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant policy guidance consulted:

PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23: Economic Development
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

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

Main Issues:

The key considerations in the determination of this planning application are the principle of the proposed development itself, the impact of the proposals on the character and appearance of the area, impact on residential amenity and privacy, access and highway safety issues, and ecology impacts.

Principle of the proposed development

The former hospital site forms part of the wider strategic site allocated for development under policy NSA7 of the Local Development Plan. Under such circumstances the improvement to an access road appears compliant with policy requirements.

Impact on the character and appearance of the area

The intention with this application is to upgrade approximately 170m of road and replace a weak bridge structure. As it largely follows the line of the existing access road impacts from the proposal on the character and appearance of the area would be minimal. Indeed, given the stated intention of the applicants to if at all possible, relocate but retain the existing gate pillars and railing arrangements change would be minimal.

Impact on residential amenity and privacy

There will undoubtedly be some disruption during the construction of the proposed road however this would be transient in nature and would not of itself constitute sufficient reason to reject the current proposals. Once established the road itself would have no impact on residential amenity or privacy that would be substantively different from existing circumstances. Though obviously the longer term intentions for the development of the site have been a matter of public knowledge since the adoption of the current Local Development Plan

Ecology

Members should note that neither Natural Resource Wales or the Council's Ecologist have raised any objection to this planning application, though the latter has indicated that the works should be compliant with the recommendations in Section 4 of the Ecological Impact Assessment that supports the planning application. A number of residents have pointed out that there would be a loss of trees and as a consequence a loss of wildlife habitat associated with the trees. The purpose of tying any permission to the findings of the Ecological Impact Assessment would be to minimise the extent

of any damage and to ensure that appropriate compensatory arrangements are put in place. Some residents express concern that the positioning of some housing might result in trees marked for retention being lost to development. As this application relates only to highway improvements this is not a matter for consideration at this time particularly as any plans showing house locations are purely illustrative.

Access and highway safety

Members should first note that subject to conditions the Transportation Section have raised no objections to the current proposals. In arriving at that conclusion they have evaluated the information supporting the current application and found it acceptable including information supplied in survey form and trip generation etc.

A number of the objections raised in highway terms relate more to the potential future development of the site rather than the relatively modest highway improvement currently proposed. It is not appropriate to consider these issues here though they would be relevant to any future application for residential development on the wider site.

Similarly, whilst the development of the site or even the provision of this road might offer the opportunity to develop rear access to existing properties on Abernant Road the proposal has to be judged on its merit rather than individual preferences. The Suggestion that access via Moss Row/Moss Place should be pursued as an alternative needs to be similarly regarded.

Other Issues:

Despite the fact that the current application is submitted solely in respect of highway improvements a number of residents have expressed concern that any approval might give support or commitment to the illustrative layout that accompanies the application. This illustrative layout remains just that and carries no weight. Further, the illustrative layout would of itself prove unacceptable given its failure to establish either a secondary means of access or even a highway link through to the adjacent River Level Tips site.

A number of resident's express concern that the application is a precursor to a much larger planning application for residential development of the wider site. Such an application may follow any approval of this application, however, this application has to be determined on its individual merit and not on the basis of what may or may not follow it.

The level of advertisement undertaken in respect of this application has exceeded statutory requirements and has included the publishing of press notices and extending the time for submissions to take account of the school holidays which was a concern for many objectors. Calls for a public meeting are not normal practice in determining any planning application.

Objectors raise the question does the proposed development affect the green areas beyond the former hospital site? As it stands the answer to that question is no, however, the hospital site is allocated for residential development, and the River level tips site north east of it has the benefit of planning permission and north east of that land is allocated for residential development under Policy NSA9.6 of the Local Development Plan

An objector points out that there is in places a common boundary between existing properties on Abernant Road and the hospital site. This would be unaffected by the current proposals and as such any evaluation between the existing property and any proposed cannot be considered under this application as it is a matter of detail that would need to be considered if, or at the time proposals for that part of the site come forward.

Some properties on Abernant Road have direct gated access into the hospital site. This is fundamentally a private issue that should not influence a planning decision and in any event would be unaffected by the current proposals.

One objector raises the issue of the realignment of the stream and the capacity for that to cause flooding. It should be noted that as no evidence is offered to support this theory it amounts to no more than speculation. Members should also note that the Flood Risk Management Section has raised no objections subject to conditions.

The application is only for highway improvements and will not result in any loss of privacy. As far as residential development is concerned the impact on the privacy of existing homes can only be evaluated when the details of that scheme are known.

Notwithstanding that this proposal only relates to highway improvement, any future development of the hospital site will alter the appearance of the area and alter its “quiet ambience” the objective of any future planning application would be to ensure that its undertaken in an appropriate manner.

The local history society has written expressing concern that the existing entrance gates, pillars and railings will be lost to the redevelopment of the site and an important element of the town’s history lost with them. The applicants have indicated that they will make every effort to retain and if deemed necessary realign the gates, piers and railings as part of the development. To that end a condition is included.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan and Planning Policy Wales 11 (PPW11) inasmuch as it relates to what is ultimately no more than a highway improvement. The Local Development Plan allocates the wider site for residential development and the road improvements proposed would reasonably align with the objective of enabling that development. In addition to this the material particulars of the case also support the proposals and as such the following recommendation is made.

RECOMMENDATION: Grant

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

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

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

- Spine Road Arrangement Drawing No: 200710_WDL_H_001 Rev D.
- Access Road Initial Landscaping Drawing no: 2101FAHAR L 5100
- Tree Constraints Plan Drawing No: 21-053.

Unless otherwise superseded by details required by any other condition attached to this consent.

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

3. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

4. The development approved shall be carried out fully in accordance with the findings and recommendations of the ecological impact assessment submitted in support of this application.

Reason: to ensure that the new development has due regard to the requirement to maintain and enhance biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to the commencement of any works on site the developer shall submit and agree details for the retention and if necessary repositioning and realignment of the former hospital access gates, piers, railings and walls with the Local Planning Authority. Such details as may be agreed shall be fully implemented prior to the commencement of any future housebuilding on the site.

Reason: to ensure that the new development has due regard to placemaking and the historic and cultural heritage of Aberdare in accordance with policies AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the road layout including sections, street lighting details, culvert details, cycle route and surface water drainage details 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 the road being brought into beneficial use.

Reason: To ensure the adequacy of the proposed development in the interests of highway safety.

7. No development shall take place, including any works of sight clearance until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority to provide for –

- The means of access into the site for construction traffic.
- The parking of vehicles of site operatives and visitors
- The management of vehicular and pedestrian traffic.
- Loading and unloading of plant and materials.
- Storage of plant and materials used in constructing the development.
- Wheel cleansing facilities.
- The sheeting of lorries leaving the site.

The approved construction method statement shall be adhered to throughout the development process unless otherwise agreed in writing with the Local Planning Authority.

Reason: in the interests of safety and the free flow of traffic.

8. Surface water runoff from the proposed development shall not discharge on to the public highway or be connected to any highway drainage systems unless otherwise agreed in writing with the Local Planning Authority.

Reason: in the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding.

PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1449/15 (KL)
APPLICANT: Mrs May
DEVELOPMENT: Variation of Conditions - 1 Extend the time limit and 2 Replace the approved plan (hdw/ph/may.2001 Rev - A with plan hdw.ph/may.2001 Rev B) - of approved planning permission 17/0246/10.
LOCATION: HEULWEN DEG, ROCK COTTAGES, GRAIG-WEN, PONTYPRIDD, CF37 2EF
DATE REGISTERED: 01/11/2021
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve, subject to conditions

REASONS: Although there has been a change in national planning policy since the approval of the previous consent (ref. 17/0246/10), the main thrust of planning policy remains the same in that residential development is supported within sustainable locations and within defined settlement boundaries. Nothing has changed in terms of the position of the site in that it remains within the settlement boundary of Pontypridd which is considered to be a highly sustainable location. As such, the proposal is still considered to be acceptable.

In terms of the proposed amendment to increase the ridge height of the approved dwellings by 0.8 metres in order to provide an additional bedroom within the roof space, it is not considered that this would result in a significantly different impact to that created by the original scheme. The dwellings would continue to be acceptable in terms their impact upon the character and appearance of the surrounding area and in terms of their impact upon the amenity and privacy of surrounding neighbouring properties. Furthermore, the layout of the site and the proposed access would remain unchanged from the original consent and is considered to be compliant with the relevant design standards for private driveways serving up to 5 dwellings. The number of car parking spaces proposed within the site is also considered to comply with the Council's SPG: Access, Circulation and Parking.

REASON APPLICATION REPORTED TO COMMITTEE

- Three or more letters of objection have been received;

APPLICATION DETAILS

This application is submitted under Section 73 of the Town and Country Planning Act 1990 and seeks to vary conditions 1 and 2 of a previously approved planning application (Ref. 17/0246/10) relating to the construction of two detached dwellings with parking at an existing residential property known as Heulwen Deg, Rock Cottages, Graigwen, Pontypridd. The permission was granted on 26th July 2017.

Condition 1

Condition 1 of the permission is as follows:

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.

The current planning application seeks to renew the earlier consent and extend the time period within which the planning permission may be implemented.

Condition 2

Condition 2 of the previous permission requires the development to be carried out in accordance with the approved plan:

The development hereby approved shall be carried out in accordance with the approved plan(s) no(s) hdw/ph/may2.001 rev A, 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.

The current application proposes an amendment to the height of the approved dwellings to enable an additional bedroom with an en-suite bathroom within the roof space. The previously approved dwellings measured 7.9 metres in height to the ridge and 5.4 metres in height to the eaves. The proposed amendment would result in the ridge height of the dwellings being increased in height by 0.8 metres, resulting in an overall height of 8.7 metres. No changes are proposed to the approved eaves height. Three Velux windows would be incorporated within one roof slope of each dwelling (west facing) with a standard window being incorporated within the gable end of each side elevation.

No other amendments are proposed to the scheme. The access and site layout would remain as per the previously approved plan and each dwelling would have 3 off-street car parking spaces to their front/side elevations.

SITE APPRAISAL

The application site relates to an irregular shaped parcel of land which currently forms part of the residential garden curtilage of an existing residential dwelling known as

Heulwen Deg. It measures approximately 700m² and is positioned immediately to the north of the existing dwelling. There is a slight variation in level across the site with a fall in the land from north east to south west. The north western and north eastern boundaries are defined by a rock face and stonework wall. The south western extent of the site is defined by a low-level post and wire fence, beyond this boundary is a steep bank which falls to an area of land below identified as a Site of Importance for Nature Conservation (SINC). Far reaching cross valley views exist in a westerly aspect from the site. To the south east is the main dwelling 'Heulwen Deg', which is a large two storey property served by a single track private drive from Graigwen Road to the south. To the north east, the site is bounded by the residential dwellings which front Heol Y Deri and Llanwonno Close. These occupy an elevated position above the application site. It is noted that pedestrian access from the western extent of Heol Y Deri already exists to serve Heulwen Deg and the application site.

PLANNING HISTORY

17/0246	Heulwen Deg, Rock Cottages, Graigwen, Pontypridd	Construction of two detached dwellings and parking	Granted 26/07/17
16/0871	Heulwen Deg, Rock Cottages, Graigwen, Pontypridd	Non-material amendment of planning permission ref. 15/1253 for window alterations and internal arrangement	Granted 05/10/16
15/1253	Heulwen Deg, Rock Cottages, Graigwen, Pontypridd	Construction of a detached dwelling with garage	Granted 11/12/15
12/0318	Heulwen Deg, Rock Cottages, Graigwen, Pontypridd	Outline planning for 1 dwelling and parking	Granted 25/09/12

PUBLICITY

The application has been advertised by means of direct neighbour notification and the erection of site notices. Three letters of objection have been received and are summarised as follows:

General

- Objections are raised in relation to the proposed amendments to the approved application. No objection is raised to the original planning permission being extended, subject to the development being carried out in accordance with the previous scheme.

Amenity and privacy

- It is not clear how much taller the houses will be but it would appear from the plans that they are significantly higher.
- The taller houses will be more intrusive.
- A large window is added to the top floor level which will overlook neighbouring houses and gardens.
- It is suggested that the top floor level window be removed, made smaller or contain obscure glazing.

Access and Parking

- The application now proposes 2 no. 4 bedroom houses with parking for 6 vehicles.
- The potential is for the residents of the 2 dwellings having up to 14 vehicles (excluding visitors).
- Additional bedrooms mean additional cars.
- It is not uncommon for every person in a house to have their own vehicle so where do all the excess vehicles park?
- Heol y Deri is already crowded with 15 vehicles belonging to residents (excluding visitors, of which there can be several at the same time).
- One property in Heol y Deri has set up a business in their converted garage. Permission was granted for the conversion providing that every one of the 5 people living in the house had an off-road parking space. This meant that they had to pave over their front garden to accommodate this requirement. This rule must apply to everyone and so the properties should have on-site parking for 14 vehicles.
- Emergency services are already unable to access the top of the street at times.
- Heol y Deri is already congested and parking in or very near the turning hammerhead makes it very difficult for vehicles to turn.
- Most delivery vehicles find that they cannot turn so they reverse back down the narrow street swerving past any parked vehicles. There have been several near misses with pedestrians and children playing in the street.
- In 2015, Highways Development Control recommended that suitable provision be made 'to ensure that vehicles are parked off the highway to ensure road safety'. They also expressed concern with regards to the existing 2 m high fence, reducing vision between the two drives to the detriment of all highway users.
- In 2017, Highways Development Control stated that 'there is concern with regards to vehicles emerging onto the sub-standard turning area however, given the low traffic speeds and volumes at this location, the concern is not significant enough to warrant highway objection'. The question is now whether this comment is still justified with a potential of 14 vehicles entering a 'blind' sub-standard turning area thus substantially increasing traffic volume.
- The points raised by Highways Development Control have not been addressed.
- The existing property has a 4-5 metre wide driveway, which runs parallel to the small residential street, which could have been adapted as the shared drive to the houses to be built.
- There is concern that the owner of no. 4 Heol y Deri coming out of the driveway and not seeing a vehicle coming from the new access.
- A previous bus service was removed as the road was too narrow and not safe.

Drainage/Sewage

- Welsh Water have had to come out to deal with a large blockage on a number of occasions.
- If the dwellings are to be allocated to the existing system, it will not cope.

Other

- Reference is made to the objections submitted to the original scheme which included concerns with a retaining wall and the removal of a large Sycamore tree.
- Reference is made to the previous planning applications and the concerns raised by residents during the process of each application, including access, turning, parking etc.
- Concern is raised with regards to where builders/construction workers will park their cars.
- The application has been made in a different name to that on the previous application.

CONSULTATION

Flood Risk Management: Do not wish to make comments

Highways and Transportation: No objection, subject to condition

Public Health and Protection: Do not wish to make comments

Welsh Water: No objection

No other responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located within the defined settlement boundary and is unallocated for any specific purpose. The following policies are considered to be relevant in the consideration of this application:

Policy CS2 – Development in the South: outlines how the emphasis on building strong, sustainable communities will be achieved in the Southern Strategy Area.

Policy AW1 – Supply of Housing: focuses on the delivery of new housing and includes the development of unallocated land inside the settlement boundary.

Policy AW2 – Sustainable Locations: supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

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

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

Policy AW10 – Environmental Protection and Public Health: does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy SSA13 – Housing Development within Settlement Boundaries– sets out the criteria for the consideration of development proposals within the settlement boundaries.

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking

National Guidance

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

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

Other relevant policy guidance consulted:

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:

This is an application under Section 73 of the Town & Country Planning Act 1990 seeking variation of conditions 1 & 2 of planning permission ref. 17/0246. The application effectively seeks to renew the earlier consent, thereby extending the time period for which the development can commence by a further 5 year, whilst also seeking an amendment to the original plans approved.

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

- a) Grant consent either with or without condition; or,
- b) Refuse

In that the Council can approve with or without conditions, it is also appropriate to consider, if planning permission is to be renewed, the extent and nature of all the previous conditions and, if necessary, amend them to reflect current circumstances and requirements.

In the case of this application, the applicant is seeking to extend the period of time within which the development can commence. It is therefore appropriate to consider whether there has been any change in policy or any other material circumstances that might affect the proposal; however, it is not appropriate to challenge the heart of the consent itself.

As the application also proposes an amendment to the ridge height of the proposed dwellings in order to incorporate an additional room within the roof space, it will also be appropriate to consider whether the proposed change would have an impact upon the character and appearance of the site and surrounding area, the amenity and privacy of surrounding residential properties and upon highway safety in the vicinity of the site.

Principle of the proposed development

The Local Development Plan (LDP) remains the key policy consideration in this application however, national policy has changed since the approval of the previous application with the publication of Planning Policy Wales ed. 11 (PPW11) and Future Wales – The National Plan 2040 (FW 2040). The updated policy continues to have a clear emphasis for residential development in sustainable locations and within defined settlement boundaries and nothing has changed in terms of the position of the site within the settlement boundary of Pontypridd, which is considered to be a highly sustainable location.

The principle of developing the site for residential dwellings has been well-established in the approval of the original application (ref. 17/0246) and in the approval of previous applications for residential development at the site (refs. 15/1253 & 12/0318). Furthermore, the original application is currently extant and the fall-back position is that the development could commence and be constructed in accordance with the approved plans up until 26th Jul 2022. As such, the extant consent for two dwellings at the site is considered to carry significant weight and, when balanced against the absence of a change in circumstance at the site and lack of objection from consultees, the greater weight lies in favour of granting approval for an extension of the timescale in which the development can commence.

In light of this, it is considered that the principle of the development remains acceptable however, given that the proposal also seeks an amendment to the approved plans, it will also be necessary to consider the impact of the amendments upon highway safety, the character and appearance of the site and surrounding area and upon the amenity and privacy of surrounding residential properties. These issues are considered in greater detail in the subsequent sections below.

Access and highway safety

The proposal has been assessed by the Council's Highways and Transportation team in order to determine whether the proposed amendments would have an adverse impact upon highway safety in the vicinity of the site. The comments received indicate that there has been no significant material change in terms of traffic or the local highway network since the original assessment of planning application ref. 17/0246 and that no significant changes in terms of the Council's SPG: Access, Circulation and Parking. As such, no objection has been raised in this regard.

The Council's SPG: Access, Circulation and Parking indicates that a dwelling with 3 or more bedrooms will require up-to a maximum of 3 off-street car parking spaces. Whilst the concerns raised by residents in relation to the number of spaces provided within the scheme are noted, a total of 6 off-street car parking spaces would be provided within the site (3 per 4 bed dwelling) which accords with the requirements of the SPG.

No amendments are proposed in terms of the access to the site and the site layout is exactly the same as that previously approved. The comments received during the previous application indicated that the development would be served off the turning area at Heol y Deri via a private shared access. It was considered that the private shared access was in accordance with Standard Detail 102 – Private Drive Serving up to 5 Dwellings and was therefore sufficient to serve as a primary means of access to the proposed development. Concern was raised with regards to vehicles emerging onto the turning area, however, it was noted that low traffic speeds and volumes at this location would not be sufficient to warrant a highway objection. A number of conditions were considered necessary and it is recommended that these are carried forward to the current application, should Members be minded to approve the application.

It is noted that residents refer to a previous application at an existing dwelling on Heol y Deri for the conversion of the integral garage to a beauty salon (ref. 18/0430), stating that 'permission was granted for the conversion providing that every one of the 5 people living in the house had an off-road parking space'. Having looked at the response given during that application, it was commented that a total requirement of 5 off-street car parking spaces would be required (2 for the beauty salon and 3 for the existing three-bed residential dwelling) however, given that the salon was to be used by the resident of the dwelling, then the 4 off-street car parking spaces proposed at the site would be acceptable. As with this current application, the off-street car parking requirement was generated from the number of bedrooms contained within the dwelling and the floor area of the proposed beauty salon, not the number of people at the dwelling.

Impact on the character and appearance of the area

The proposal would result in an increase in the overall ridge height of the dwellings from 7.9 metres in height to 8.7 metres in height (0.8 metre difference) and the inclusion of Velux windows within the front roof slope and two windows within the gable end of each of the side elevations. These changes are considered to be relatively minor and would not be significant to warrant an objection in terms of the resulting impact upon the character and appearance of the site or the surrounding area.

Impact on residential amenity and privacy

It is noted that concerns have been raised by residents in relation to the impact of the proposed increase in ridge height and the inclusion of an additional bedroom in each dwelling upon existing residential properties surrounding the site. Whilst these concerns are noted, it is not considered that the changes would have a such a significant impact that it would warrant the refusal of the application.

No. 5 Llanwonno Close (to the north of the site) is situated in an elevated position and benefits from an elongated garden measuring approximately 21 metres in length. It is therefore not considered that the increased ridge height of plot 1 by 0.8 metres would give rise to any significant overbearing impact or significant loss of outlook. It is noted that a window would be incorporated within the gable end of the property which would face towards no. 5 however, taking into account that this window would serve a landing and not a habitable room, it is not considered that the level of overlooking would be detrimental to the privacy currently enjoyed by the residents of no. 5.

Whilst plot 2 would be positioned in an elevated position above Heulwen Deg, it is not considered that the increase in height of the ridge line by 0.8 metres would have a significantly greater impact to that of the previously approved scheme. Similarly, it would also incorporate a landing window within the side gable which would look towards the existing dwelling however, given the non-habitable nature of the room, it is not considered that it would give rise to any significant levels of overlooking.

The Velux windows proposed within the roof slopes would look towards the garden areas of the dwellings rather than towards existing properties and it is therefore not considered that they would impact upon the privacy of the nearest neighbouring properties.

Drainage

Since the approval of the original consent (ref. 17/0246), developments with a development area over 100m² are required to comply with Schedule 3 of the Flood and Water Management Act 2010 in that a separate application is required to be made to the Sustainable Drainage Approval Body (SAB) for Sustainable Drainage Systems (SuDs) prior to any development commencing. Whilst a drainage condition was imposed on the previous consent (as recommended by the Council's Flood Risk Management team), it is now considered that the surface water flood risk will be adequately managed by Schedule 3 of the Flood and Water Management Act 2010 and also by Part H of the Building Regulations. It is therefore no longer considered necessary to add the relevant drainage condition to the consent, should Members be minded to approve the application.

Other issues raised by objectors

The objections received in relation to the previous application(s) were fully considered in the determination of each respective application.

Whilst the concern with regards to where builders/construction workers will park their cars is noted, this is not a material planning consideration.

It is noted that the name of the applicant on the current application differs to that of the name on the original application however, it must be noted that planning permission is tied to the land, not the person who originally applied for the permission.

Community Infrastructure Levy (CIL) Liability

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

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

The CIL (including indexation) for this development is expected to be £21,453.39.

Conclusion

Although there has been a change in national planning policy since the approval of the previous consent (ref. 17/0246/10), the main thrust of planning policy remains the same in that residential development is supported within sustainable locations and within defined settlement boundaries. Nothing has changed in terms of the position of the site in that it remains within the settlement boundary of Pontypridd which is considered to be a highly sustainable location. As such, the proposal is still considered to be acceptable.

In terms of the proposed amendment to increase the ridge height of the approved dwellings by 0.8 metres in order to provide an additional bedroom within the roof

space, it is not considered that this would result in a significant difference from the originally approved scheme. The dwellings would continue to be acceptable in terms their impact upon the character and appearance of the surrounding area and the amenities and privacy of surrounding neighbours. Furthermore, the proposed access would remain unchanged from the original consent and is considered to be compliant with the relevant design standards for private driveways serving up to 5 dwellings. The number of car parking spaces proposed within the site is also considered comply with the Council's SPG: Access, Circulation and Parking.

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) hdw/ph/may2.001b rev C (rec. 8th December 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. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

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

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

5. Building operations shall not be commenced until details of the external materials proposed to be used have been submitted to and approved in

writing by the Local Planning Authority and all materials used shall conform to the samples so approved.

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

6. Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local planning Authority, prior to any works commencing on site.

Reason: In the interests of highway safety and to prevent damage to the public highway and utility services in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. The parking area shall be constructed in permanent materials and retained for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

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

8. Surface water run-off from the proposed parking area, turning area and driveway shall not discharge onto the public highway unless otherwise agreed in writing by the Local Planning Authority.

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

9. Prior to the commencement of development, facilities for wheel washing shall be provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Wheel washing shall be in operation during the duration of the development period.

Reason: To prevent debris and mud from being deposited onto the public highway, in the interests of highway safety, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. HGV deliveries during the construction of the development shall be restricted to 09:00am and 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

11. Notwithstanding the submitted details, prior to the commencement of development, full details (including external finishes, heights and exact siting) design and structural calculations of any proposed retaining wall structures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the stability of the development in the interests of public health and safety, and in the interests of visual amenity in accordance with policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1511/10 (MF)
APPLICANT: Friends of Tyn-Y-Bryn Park
DEVELOPMENT: Construction of a new concrete skatepark within Tyn-Y-Bryn Park.
LOCATION: SITE WITHIN TYNBYRN PARK, TYNBYRN ROAD, TONYREFAIL
DATE REGISTERED: 09/11/2021
ELECTORAL DIVISION: Tonyrefail West

RECOMMENDATION: Approve, subject to conditions.

REASONS: The proposed development would provide the local community with a welcome leisure/sports facility on an area that has been long established as being used for leisure/sports purposes.

The siting of the skatepark is considered acceptable in terms of its visual impact and potential impact upon the amenities of neighbouring residents.

The application therefore complies with the relevant local and national planning policies and is considered acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the construction of a skatepark at Tyn-Y-Bryn Park, Tonyrefail.

It is proposed the skatepark be constructed at an unused area of the Park, to the south of the existing 3G sports pitch. The skatepark itself would have a footprint of 35m by 21m comprising a concrete slab at existing ground level with various concrete ramp and metal rail features throughout to a maximum height of approximately 1.2m.

A grassed bank would surround the skatepark extending out approximately 1.5m from the concrete structure, falling from the top of the ramps down to ground level to act as a landscape buffer.

Access would be gained from the existing footpath that runs through the centre of the Park.

The application does not include details of, or seek consent for, any forms of enclosure or lighting.

The applicant has detailed that the skatepark would form a free facility for use by the general public and that the scheme has been conceived following consultation with the community in respect of what sports facilities the residents of Tonyrefail would like to see in the town.

As well as all relevant plans, the application is also supported by:

- Planning Statement

SITE APPRAISAL

The application site comprises an undeveloped parcel of land, but maintained area of grassland, within Tyn-Y-Bryn Park, Tonyrefail. The development plot is located roughly centrally within the Park, south of the existing 3G sports pitch and west of the footpath that runs north to south through the centre of the Park.

The Park currently accommodates football, rugby and cricket pitches, as well as a MUGA and children's play area. It is also noted that the Tonyrefail Leisure Centre and a ten-pin bowling centre are located at the north-eastern extent, beyond which is a large public car park.

There are a number of residential properties located around the Park, but all are a considerable distance from the development plot itself with the nearest being at Tynybryn Road and Heol Ton approximately 100m to the south-east/south-west respectively.

PLANNING HISTORY

There is a long history of planning applications at the site but most relate to works at the leisure centre building rather than the Park itself. As such they are not considered relevant to this application. Therefore, only applications for works at the park have been set out below:

16/0775/08 – New 3G pitch plus additional car parking to rear of the leisure centre.
Decision: Granted, 11/11/16

PUBLICITY

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

CONSULTATION

Highways and Transportation – No objection or conditions suggested. The proposal would have no impact upon the local highway network or parking provision in the vicinity.

Public Health and Protection – No objection subject to conditions in respect of construction noise, waste, dust and lighting. Whilst these comments are appreciated, it is considered construction matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

Flood Risk Management – No objection or conditions suggested. The proposed development works would have to gain separate SuDS approval from the Council as SAB prior to any development works taking place, which would ensure no drainage/flood risk issues would arise.

Countryside, Landscape and Ecology – No objection or conditions suggested. The site is amenity grassland which is intensively managed through regular mowing. It accordingly has little ecological value.

Parks and Leisure – No objection. The department would welcome the enhancement of new leisure/sports facilities at the Park.

Greenspace Development Officer – No objection subject to conditions in respect of tree/root zone protection and landscaping/planting schemes.

Sports Council for Wales – No objection. A skatepark would be a welcome addition to the existing Park and we would therefore support this scheme.

Tonyrefail Community Council – No comment. The Community Council have been involved with this project since its inception and therefore do not think it's appropriate to make formal comments on this planning application.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located inside of the settlement boundary for Tonyrefail but 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 and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

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

Policy AW6 – requires development to involve a high standard of design and to make a positive contribution to placemaking, including landscaping.

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

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

Policy SSA4 – sets out the criteria for residential, commercial and community development within the Key Settlement of Tonyrefail.

Supplementary Planning Guidance

- Design and Placemaking
- Nature Conservation

National Guidance

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

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

It is considered 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
- Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

Other relevant national planning policy guidance consulted:

- PPW Technical Advice Note 5: Nature Conservation and Planning
- PPW Technical Advice Note 11: Noise
- PPW Technical Advice Note 12: Design
- PPW Technical Advice Note 16: Sport, Recreation and Open Space

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.

Principle of the Proposed Development

The application seeks to provide an enhanced leisure/sports facility within the community through the construction of a new skatepark at the site.

The proposed development would be sited within the grounds of an existing public park where there is already a range of leisure/sports facilities and the principle for this type of use has been long established. Further, the scheme is supported by the Council's Parks and Leisure section and Sport Wales who welcome the development.

The proposal is therefore considered acceptable, in principle, subject to compliance with the relevant criteria set out below.

Visual Impact

Being of a relatively minor footprint, in comparison to the wider Park and other facilities within it, and of a relative minor height, the impact of which would be greatly reduced by the landscaped bank that would surround the skatepark, it is not considered the skatepark structure would form an overly prominent feature within the Park.

Further, the proposed skatepark would be located directly south of the existing 3G sports pitch which includes various structures and high enclosures. As such, it is considered the skatepark structure would be seen as a natural extension of the existing development at the Park, reducing any prominence.

It is also noted that skateparks are commonplace in many public parks throughout the County Borough and therefore this type of development would not be considered out of character in this location.

Therefore, whilst it is accepted the proposed skatepark would be visible from views both within and outside of Tyn-Y-Bryn Park, taking account of the scale of the wider park, existing features within it, and the relative minor works proposed, it is not considered the proposal would be harmful to the Park's overall character and appearance.

Residential Amenity

The closest residential dwellings to the proposed skatepark are approximately 100m away at Tynybryn Road and Heol Ton to the south-east/south-west. Given the separation distance and the relatively minor development works proposed, it is not considered the new structure would have any direct impact upon the outlook from these properties or cause any other form of physical detriment to them.

It is acknowledged however that the skatepark would likely result in noise from activities and users, but this has to be considered in the context of the wider Park, of which the skatepark area would form a relatively minor element.

The existing football, rugby, cricket and children's play facilities are long-established and generate activity, comings and goings and subsequently noise. As such, surrounding residents would be accustomed to a level of disturbance associated with the Park in its current form. The new skatepark would inevitably add to the current levels of noise at the Park, but given the relatively minor scale of the development proposed, it is not considered the additional facility would significantly increase noise levels over and above that which already occur.

Finally, as set out above, skateparks are common features of public parks throughout the County Borough and these areas are considered the most appropriate places to site such facilities, away from residential properties and in areas already in use for leisure/sports purposes.

Subsequently, in terms of the potential impact upon the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Other Issues

The Council's Greenspace Development Officer commented that, whilst no trees would be removed as part of the scheme, there is some potential for 2 no. mature trees to be damaged during construction as the new access path would run between them. Therefore, appropriate mitigation measures should be implemented on site to ensure no damage occurs, details of which can be provided prior to any works starting on site via condition.

It was also commented that the landscape bank around the skatepark should include a basic grass mix that would not compete with wildflowers and would enable the banks to colonise naturally, as they would eventually become ideal habitats for burying insects/bees. It is considered this would provide the ecological mitigation/enhancement required by PPW for all schemes and therefore a condition to this affect is set out below.

Community Infrastructure Levy Liability

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

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

Conclusion

The proposed development would provide the local community with a welcome leisure/sports facility on an area that has been long established as being used for leisure/sports purposes.

The siting of the skatepark is considered acceptable in terms of its visual impact and potential impact upon the amenities of neighbouring residents.

It is therefore considered the application complies with the relevant local and national planning policies and is acceptable.

RECOMMENDATION: Grant

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

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

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

- Site Location Plan
- 304-P01-01 – Proposed Site Plan
- 304-S01-02 – Civil Detail

and documents received by the Local Planning Authority on 09/11/21 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Prior to any development works commencing on site, a comprehensive scheme of landscaping, which includes only a basic grass mix that would not compete with wildflowers, shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following completion of the development.

Reason: To provide ecological enhancement and to ensure that the new development will be visually attractive in accordance with Policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to any development works commencing on site, the 2 no. mature trees between which the new access path would be sited shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced-off areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees during the course of building work in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

9th November 2021

SITE MEETING

APPLICATION NO 21/0687/10 - 2 pairs of semi detached houses. LAND SOUTH OF TAFF TERRACE, CLYDACH, TONY PANDY

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 97 (Planning and Development Committee – 21st October 2021) a site inspection was undertaken on Tuesday 9th November 2021 to consider the rights of way issue.
- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, D. Grehan, W. Lewis, J. Williams and G. Hughes.
- 3.3 Members met at the front of the proposed development adjacent to Clydach Road. The Planning Officer advised Members that full planning permission is sought for the construction of two pairs of semi-detached

- dwellings on the site to the south of Taff Terrace, Clydach Vale, Tonypany.
- 3.4 The Planning Officer showed Members visual plans for the proposed development pointing out the site boundary and outlining the highways access to the site. Members were also informed of the planning history of the site.
 - 3.5 Members queried the rights of way access as referenced in the original Committee report and highlighted in the objection received at Committee from the Council's Corporate Estates department. The Planning Officer informed Members that the Corporate Estates department were in the process of producing an application for prescriptive rights of access across the site to the Land Registry, supported by a Member Statutory Declaration, but at the time the original Committee report was written and at the time of the site visit no formal claim had been made. It was also noted that if an application for prescriptive rights of access were granted, this would prevent any planning consent from being carried out.
 - 3.6 Members noted an Officer from the Corporate Estates department was present at the site visit and were provided with further information regarding the details of this proposed prescriptive rights of access application, detailing that its submission to the Land Registry was imminent. However, at the time of writing, the claim has still not yet been submitted.
 - 3.7 Members also queried if the access related to on foot or vehicular and were informed by the Planning Officer that it related to both.
 - 3.8 Members requested to be shown the location of the disputed right of way access and the Planning Officer detailed this on the plans. Members also took the opportunity to walk down the lane adjacent to the school to view the access to the site from the rear.
 - 3.9 Members noted the access gates for the school in close proximity to the site and noted the impact the loss of access may have.
 - 3.10 Members also queried the drainage access requirements at the site and whether access over Council owned land would be required. The Planning Officer advised that all of the land required for drainage is under the ownership of the applicant.
 - 3.11 The Chair thanked the officers for the report and closed the meeting.

PLANNING & DEVELOPMENT COMMITTEE

21 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0687/10 (BJW)
APPLICANT: Stradstone Ltd
DEVELOPMENT: 2 pairs of semi detached houses.
LOCATION: LAND SOUTH OF TAFF TERRACE, CLYDACH,
TONYPANDY
DATE REGISTERED: 11/05/2021
ELECTORAL DIVISION: Cwm Clydach

RECOMMENDATION: Approve

REASONS: The principle of housing on this site has been firmly established by the previous grant of outline permission followed by the subsequent application to extend this consent which have then expired.

The current proposal for the full consent at the site is for two pairs of semi-detached dwellings. It is considered that the slight increase in the number of dwellings would be a more productive use of this limited site and would provide an acceptable form of modern and contemporary development that would be in keeping with surrounding land uses, would be acceptable to the amenity of neighbouring properties, the visual amenity of the area and highway safety considerations.

REASON APPLICATION IS BEING REPORTED TO COMMITTEE

Councillor Norris has requested that the application be reported to committee in order to address the use of a path to the nearby school (Cwmclydach Junior School).

APPLICATION DETAILS

Full planning permission is sought for the construction of two pairs of semi-detached dwellings on the site to the south of Taff Terrace, Clydach Vale, Tonypany.

The houses would be set back from the main highway of Taff Terrace with three parking spaces per dwelling arranged at the front of the site.

Each pair of houses is 10.5 m wide to the street; 7.5 m deep; 5.2 metres to eaves and 7.5 m to ridge and would feature the following accommodation:

- Hall, living room, store room and kitchen/dinning room at ground floor; and
- Three bedrooms and a bathroom at first floor level.

The houses would be rendered with an ivory thru-tone render to fit in with the rendered finish on the surrounding houses. Windows, bargeboards, fascias and soffits would be anthracite UPVC with black UPVC rainwater goods.

The existing highway surface is provided with surface water drainage via gullies. The footway to the frontage of the site and the adjacent builder's merchant has not been made up to the appropriate highway standard. It is therefore proposed that the footway be made up to link with existing and provide a kerb at the highway edge to direct all highway surface water into the existing gullies and stop any such surface water from running onto the site.

All parking areas and footpaths will be constructed in permeable paving. Front gardens will be laid to lawn and will be bounded by a steel boundary fence between brick piers. Rear garden boundaries would be close boarded timber fences 1.80 metres high to provide private rear garden amenity areas.

The site has a previous (outline) consent dating back to 2011 which was then renewed in early 2015. As it was not subsequently renewed at the beginning of 2020 it is now expired.

It should be noted that the initially submitted layout has been amended due to concerns raised by the Transportation Section in relation to pedestrian access to the front of the properties and the parking layouts for plots 1 and 4.

SITE APPRAISAL

The application site is a vacant, largely rectangular, plot which is located within the settlement boundary on the northern side of the valley. The site has a frontage of 39m and an area of approximately 0.1 hectares (1019sq.m) falling away from Taff Terrace.

The site is situated within the established residential area of Clydach Vale in Tonypany. The surrounding area is predominantly late Victorian development most of which is typical valleys terraced houses. The existing dwellings on Taff Terrace face the rear of dwellings fronting Clydach Road, the main road through the village.

Downhill and to the east of the site is a development of detached suburban houses constructed circa 1989.

The site is on the edge of the former Cambrian Colliery reclamation scheme completed in 1989 and comprises of original ground at Taff Terrace and approximately 6 metres of engineered fill at the southern edge over the line of the former Taff Vale Railway branch line.

Since the completion of the reclamation scheme the site has remained unused.

PLANNING HISTORY

21/0412	Land adjacent to 1 Taff Terrace, Clydach Vale	Renewal of planning permission for 3 dwellings (previous application 11/0214/13).	Withdrawn 24/05/2021
19/1089	Land adjacent to Taff Terrace, Clydach Vale	Extend the original planning permission 14/1419/15.	Withdrawn 30/01/2021
14/1419	Land on old Builders yard, Clydach, Tonypany, CF40 2BE	Variation of condition 1(C) of planning approval 11/0214/13 to extend the time limit for the submission of reserved matters for a further 3 years	Granted 15/01/2015
11/0213	As above	3 No. link terraced dwellings (outline)(amended description).	Granted 10/11/2011

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. No responses have been received.

CONSULTATION

Transportation Section – There is concern that the informal turning facility and access to the school will be removed as part of the proposal. However, taking into account this is an informal arrangement, the land is in the ownership of the applicant and there is existing permission granted for housing development, no highway objection has been raised, subject to conditions.

Land Reclamation and Engineering (Drainage) – no objection, subject to conditions to require the drainage arrangements to be submitted to and approved by the LPA and the agreed scheme implemented at the site. Advice is also offered in relation to Sustainable Drainage Approval and notifying the applicant of their requirements under Schedule 3 of the Flood and Water Management Act 2010.

Public Health and Protection – no objection, subject to a condition to restrict the hours of operation during the construction period, and standard informative notes.

Dwr Cymru Welsh Water – no objection, subject to conditions and informative notes. Also identifies a public sewer crossing the site to which no development shall be placed within 3 metres.

Countryside, Landscape and Ecology – no comments received within the consultation period.

POLICY CONTEXT

The site is within the settlement boundary of Clydach Vale and is unallocated.

Rhondda Cynon Taf Local Development Plan

Policy CS1 - sets out criteria for achieving sustainable growth.

Policy AW1 - sets out the criteria for new housing proposals.

Policy AW2 - promotes development in sustainable locations.

Policy AW4 - details the criteria for planning obligations including the Community Infrastructure Levy (CIL).

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

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

Policy AW8 - only permits development where it would not cause harm to features of the natural environment.

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

Policy NSA11 - the provision of at least 10% affordable housing will be sought on sites of 10 units or more.

Policy NSA12 - supports housing development within and adjacent to defined settlement boundaries.

Supplementary Planning Guidance (SPG):

Design and Placemaking
Access, Circulation & Parking Requirements

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 relatively modest scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it

is not considered the policies set out in the document are specifically relevant to this application.

Other relevant national policy guidance consulted:

Technical Advice Note 2 (2006): Planning and Affordable Housing

Technical Advice Note 12 (2016): 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 development site is within the defined settlement boundary where development is considered to be acceptable subject to compliance with other policies within the Local Development Plan.

The proposal is for two pairs of semi-detached residential dwellings with off-street parking and rear garden amenity areas. The principle of residential development within the wider site has already been established by virtue of the previously approved applications and the subsequent renewal for residential development at the site, although it is acknowledged that these consents have now expired.

Consequently, subject to other matters to be addressed later in this report, the principle of the development is considered to be acceptable.

Impact on amenities of neighbouring properties

The proposal represents two pairs of dwellings with a modern and contemporary character and appearance. While it is acknowledged that existing properties are of a certain historic character, there are more modern individual dwellings as well as larger concentrations of more modern designs and housing types interspersed within the fabric of the area.

The dwellings that are proposed could be accommodated at the site without leading to over-development. Additionally, it is considered that due to their layout and siting, the proposed properties would not have a detrimental impact on the amenity of neighbouring properties by way of loss of privacy or amenity and would not have an overbearing impact.

Additionally, it is also acknowledged that there have been no adverse comments from neighbouring properties as part of the consultation exercise for the proposal.

Therefore, having regard to the issues above it is considered that the proposal is acceptable in this regard.

Character and appearance of the area

The proposed dwellings would be in keeping with the more modern developments that have been built within the immediately surrounding area.

The proposed dwellings are considered to be attractive, contemporary and modern properties that would be in keeping with the character and appearance of the area and the visual amenity of the immediate and surrounding locality.

Highway safety

The Transportation Section has raised no objection to the application, subject to appropriately worded conditions. This view acknowledges the amended layout plans that address the initial concerns expressed by the Transportation Section and provides adequate parking facilities and safe pedestrian access to the proposed properties.

Other issues

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

In terms of the current access across the site to the nearby school, this is an informal arrangement and the land is wholly under the ownership of the applicant who could stop this at any time. Any request to make this arrangement a formal Public Right of Way (PROW) is a matter that should be addressed through a claim for a PROW which do not form the scope of a planning application and are a separate matter that would be dealt with by the Council's Public Rights of Way Section. At present, no such claim has been made for this site.

Community Infrastructure Levy (CIL)

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

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

Conclusion

The development would provide a productive use of a vacant and disused piece of land within the settlement boundary with a long history of consents for residential use.

The proposal would also add to the variety and housing types within the area and would be consistent with the residential use, character and appearance of the surrounding area.

While the issue around the use of the site as access for Cwmclydach School is acknowledged, it is considered that this is part of a separate and formal procedure that can be appropriately dealt with via the correct route.

Finally, the development and would not be detrimental to the amenity of neighbouring properties or highway safety considerations and is therefore considered to be acceptable.

RECOMMENDATION: Grant

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

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

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

- Site Location Plan, Drawing no. 1132-01, Revision A
- Proposed Site Plan, Drawing no. 1132-03, Revision E,
- Typical Ground Floor Plan of a pair of houses (Proposed), Drawing no 1132-04
- Typical First Floor Plan of a pair of houses (Proposed), Drawing no 1132-05
- Typical Elevations of a pair of houses (Proposed), Drawing no 1132-06

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

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

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

4. Building operations shall not be commenced until samples of the materials, including colours, proposed to be used have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to the sample(s) so approved.

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

5. No development shall commence until the applicant evidences how the development is to take into account the local surface water flood risk and outlines a strategy to ensure the structures are resilient.

Reason: To ensure the development does not increase the number of residents at risk of surface water flooding in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. No dwelling shall be occupied until the drainage works approved under condition 5 have been completed in accordance with the approved plans.

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

7. Before the development is brought into use the means of access, together with the parking facilities, shall be laid in accordance with submitted plan 1132-03 REV E and approved by the Local Planning Authority. The car parking spaces shall be surfaced in permanent material and retained for parking thereafter.

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

8. Notwithstanding the submitted plans, prior to the commencement of development, design and details of the new proposed footway along Taff Terrace fronting the site shall be submitted to and approved in writing by the Local Planning Authority. The development should be carried out in accordance with the approved plans and implemented prior to beneficial occupation.

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

9. 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 AW10 of the Rhondda Cynon Taf Local Development Plan.

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

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

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

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

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

4th JANUARY 2022

SITE MEETING

APPLICATION NO: 21/1102/10 Building to facilitate the relocation of fallen stock yard (Odour Management Plan received 30th September 2021, Veterinary Statement and revised plans, reducing size of building and enhancing landscaping, received 18th October 2021). Field at Croft Yr Haidd, Castellau, Beddau, Pontyclun CF72 8LQ

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Kate Spence, 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 146 (Planning and Development Committee – 16th December 2021) a site inspection was undertaken on Tuesday 4th January 2022 to consider the potential impact that the proposed development would have on the visual amenity of the site, the nearby highways, and the environment.
- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, G. Caple, D. Grehan and W. Lewis.
- 3.3 Members met at the entrance to the field at Croft Yr Haidd, Castellau, Beddau. The Planning Officer introduced the site to Members and advised

that the proposed development would replace the existing building in the adjoining field to facilitate the relocation of fallen stock yard. Members were advised that the scale of the proposed development would be marginally larger than that of the existing and noted the white and green stakes that the Applicant's Agent had placed in the ground to illustrate the small-scale expansion of the building's footprint.

- 3.4 The Planning Officer referenced Highways concerns and advised that proposed development would retain the once weekly collection service as per the existing arrangements, with occasional twice-weekly collections during peak periods. The Planning Officer further advised that the applicant had submitted an Odour Management Plan to Environmental Health Services.
- 3.5 It was also noted that the site is located within the Mynydd y Glyn & Nant Muchudd basin Special Landscape Area and the Planning Officer confirmed to Members that following representations, the current proposal represented a reduction in scale, an improvement in appearance, and additional landscaping.
- 3.6 Members queried the management of the collection and delivery service and referenced the concern of uncovered vehicles as raised in the letters of objection summarised in the report. The Environmental Health Officer advised that vehicle users had been reminded of the need to comply with the APHA-approved practices by using covered containers, even in the case of empty vehicles.
- 3.7 Members also queried intentions to expand the business and increase activity in respect of the new development. The Applicant advised that there is no potential for expansion since the number of farms is fixed and that there was an overall decline in agricultural stock numbers. It was advised that the small increase in scale of the proposed development would permit complete entry by lorries into the building for collection services.
- 3.8 The Highways Officer reinforced the point that the proposed development would operate by mirroring that of the existing business, which had been operating as such for several years. Although the HGV collecting fallen stock is large, this would be no different to those HGVs which deliver or collect animals and feeds etc at many other farms within the countryside which are serviced and accessed by networks of narrow lanes. The Highways Officer noted no highways concerns in respect of the development.
- 3.9 The Planning Officer outlined the contents of late correspondence from Councillor Jayne Brencher and a local resident in objection to the application, and from the Landowner of Croft Yr Haidd in support of the application.
- 3.10 Members entered the field Croft Yr Haidd, Castellau, Beddau for closer inspection of the proposed scale of the development. Members gave consideration to the proximity of local housing to the site. Members visited the neighbouring, existing site of Fallen Stock Ltd and discussed the processes undertaken for fallen agricultural stock.

- 3.11 Local Member, County Borough Councillor D. Owen-Jones spoke on the application and noted that he would submit his concerns to Planning Services to be presented back to the appropriate Planning and Development Committee Meeting.
- 3.12 The Chair thanked the officers for the report and closed the meeting.

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PLANNING & DEVELOPMENT COMMITTEE

16 DECEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1102/10 (GH)
APPLICANT: Fallen Stock Ltd
DEVELOPMENT: Building to facilitate the relocation of fallen stock yard. (Odour Management Plan received 30th September 2021, Veterinary Statement and revised plans, reducing size of building and enhancing landscaping, received 18th October 2021)
LOCATION: FIELD AT CROFT YR HAIDD, CASTELLAU, BEDDAU, PONTYCLUN, CF72 8LQ
DATE REGISTERED: 06/08/2021
ELECTORAL DIVISION: Tonyrefail East

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW

REASONS: The proposed development is of an acceptable scale and appearance and its use as a fallen stock yard, would provide an essential service to the rural economy.

The specific purpose of the business means that its location in the open countryside and on agricultural land is an acceptable one, and the levels of vehicular traffic generated would not be harmful to highway safety.

Subject to conditions, particularly in respect of odour management, the application would not be considered to be harmful to the amenity of the closest neighbouring properties or to public health.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal constitutes major development that not covered by determination powers delegated to the Director of Prosperity & Development.

APPLICATION DETAILS

Full planning consent is sought for the construction of a new building, for the purposes of operating a fallen stock (knackers) yard, within a field at Croft Yr Haidd, Castellau, Beddau.

The proposal originally sought consent to erect a steel portal-framed structure with a depth of 30.48m, a width of 15.24m and an eaves height of 4.88m, rising to a ridge height of approximately 6.9m.

However, as a result of discussions with the Applicant's Agent during the consultation process, revised plans were received reducing the depth of the building to 24.4m. This would create a floorspace of approximately 371m², rather than the 464m² of the first iteration of the scheme.

In terms of external finishes, the building would have a similar appearance to that of modern agricultural buildings, with elevations of olive green plastisol sheeting. The roof would be of grey fibre cement sheets, within which roof lights would be installed.

In addition, the south-western elevation of the building would benefit from a full-width lean to element, within which a woodchip biofilter system would be installed, for the purposes of filtering air and preventing odours from entering the outside environment. For maintenance and access reasons, its elevation would comprise detachable wood sleepers.

No other fenestration is proposed to the building other than a large roller shutter entrance door within the north-eastern elevation, which would allow vehicles collecting and delivering carcasses to wholly enter the building.

The Applicant's Design and Access Statement (DAS) advises that the purpose of the development is to replace an existing fallen stock yard in an adjacent field. The Applicant's fallen stock business currently operates from premises at Pen Y Garn Farm where his tenancy is due to end in 2022.

The DAS also explains that the business offers a permitted collection service where animal carcasses are collected from farms, road accidents and other animal fatality incidents and brought back to the yard to be stored in cable-tied bags and placed in palletised containers, prior to a weekly collection.

No processing or dissection of carcasses takes place on site and both the bags and containers are large enough for animals such as a large horse or cow. The business has to be licensed and is regulated and inspected by the Animal and Plant Health Agency (APHA) and the new building would have to be designed to comply with The Animal By-Products (Enforcement) (Wales) Regulations 2014.

The existing buildings which presently accommodate the business on the neighbouring site are proposed to be removed once relocation has taken place. The DAS notes, as per the submitted plans, that tree and hedge planting would help to screen the site, even though it is at a lower elevation than the current site.

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

- Preliminary Ecological Appraisal
- Design and Access Statement
- Coal Mining Risk Assessment

- Pre-Application Consultation Report

As a result of comments and queries received during the consultation process an Odour Management Plan and Veterinary Statement were received. In addition, as noted above, a revised plan was submitted reducing the scale and footprint of the building by one 6m bay.

Lastly, it should be noted that this proposal was first submitted and publicised as application no. 20/1086/10. However, as 'waste development' the application constitutes major development, for which the Planning (Wales) Act 2015 requires developers to undertake statutory Pre-Application Consultation (PAC).

This had not been done at the time of the first submission, so on the advice of the Local Planning Authority, the application was withdrawn and resubmitted once the necessary PAC process had been completed.

SITE APPRAISAL

The application property is an undeveloped field, which is located in the open countryside approximately 1.3km to the west of Penycodcae and around 3km to the east of Tonyrefail.

The site is outside the settlement boundary and within the Mynydd y Glyn & Nant Muchudd basin Special Landscape Area. In addition, the site is within a Sandstone Safeguarding Area and includes areas where development would be at high risk from former coal mining works.

Comprising a surface area of approximately 0.1 hectares, the field has been used for the grazing of livestock and is enclosed by a combination of hedgerow and stockproof fencing on three sides. There is a fall in level towards the south-west and a line of mature trees alongside the north-western boundary, which separates the site from the adjacent field from where the business currently operates.

A private lane crosses past the south-eastern part of the site which leads from the adopted highway to the property known as Croft Yr Haidd. However, as noted above, the access to the application site is proposed to be from the existing junction to the north which serves the current business premises.

PLANNING HISTORY

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

- 20/1086/10:** Building to facilitate the relocation of fallen stock yard. (Coal Mining Risk Assessment received 23/11/2020) (updated Planning Statement received 18/12/2020) (drainage details received 27/01/2021). Decision: 06/08/2021, withdrawn by applicant.
- 20/5042/41:** Pre-application Enquiry. Decision: 03/06/2020, raise objections.

PUBLICITY

Both the current and withdrawn applications were advertised by direct notification to 30 neighbouring properties and notices were displayed on site.

Furthermore, in accordance with the Development Management Procedure Order (Wales) the relevant press notice was published on 26th August 2021 identifying that the resubmitted application constituted major development.

The initial consultation attracted 37 letters of objection, together with a petition opposing the application containing approximately 200 signatures. In response to the second consultation, letters of objection were received from 28 households.

The concerns raised can be summarised as follows:

Highways

- Increased traffic levels from larger vehicles will create more pollution/dust and greater risks of accidents or respiratory issues.
- Already large volumes of traffic passing through Penycoedcae.
- Not enough room on local roads for vehicles to pass each other, or for cyclists, horse riders and ramblers.
- Walls have been knocked through in Penycoedcae village by large lorries.
- During peak periods there are two collections per week.

Public Health and Site Management

- The odour affects enjoyment of my garden and local outdoor spaces.
- At times it is impossible to open windows, sit outside or invite visitors due to terrible odours.
- Risk of contamination from diseased animal carcasses and carriage of hazardous materials, including Anthrax, Foot and Mouth, Alabama Rot, BSE, TB, Blue Tongue and Covid.
- The proposed building and yard site would have a great impact on the environment, and we have noticed that the present operation is creating its major problems.
- The Applicant does not disinfect on and off site and the tarpaulin on his lorry is rarely in place. We often pick up sheep tags off the fields from various holdings and there is always effluent.
- The vehicles used to transport the fallen stock waste are not sealed, they will be carrying rotting animals that may have died from hazardous and unknown causes.
- The dead stock is unrefrigerated so carcasses putrefy.
- There has been a trail of fluid all along the road from the Knackers Yard to the Queens Head Pub.
- We have witnessed blood and fluids draining out of the collection lorry, the stench is extreme.
- To our knowledge one dog has died, and another had been seriously ill as a consequence of the decomposing carcass fluid leaking.

- All local farms have their own water supply via boreholes, where will this site get water from or drain to?
- Concerns about water supply for hygiene purposes and that contaminated waste is being discharged via a soakaway.
- The current practice of bagging dead animals is recent, prior to objections to the first planning application, decomposing animals were piled up festering in the building until collection.
- Some large stock would be too large to bag without dissection.
- Prior to the planning applications we witnessed whole animals being lifted outside of the building on a forklift truck and dumped into the top of the lorry.

Scale, Appearance and Amenity

- The new building would be much bigger than the current one which would allow the business to grow and intensify problems.
- The development would permanently change the character of the agricultural land and have an adverse impact on the visual amenity of neighbouring properties.
- The proposed external finishes of the building would be an eyesore and its size would make it conspicuous.

Other matters

- The Applicant does not have the benefit of a lawful existing use at the current site so the application should not be considered as if it were a replacement for such.
- The building would be located within a coal mining high risk area and there were four collieries in the area surrounding the site. Part of Croft yr Haidd house was rebuilt by the NCB due to subsidence.
- The planning application was not openly publicised.
- The plan to commercialise the business smacks of making money.
- The access and part of the site and surrounding land can be subject to surface water flooding.

Conversely, 301 letters of support have been received, which includes those from the Farmer's Union of Wales (FUW) and South Wales Farm Vets.

The majority of these letters are of a proforma type, where the supporter has filled in their own details and made additional comments. Whilst many are from local farms and businesses, a high percentage are from the wider South Wales area.

These letters of support reference the Applicant's professionalism and the necessity of the service provided. With particular relevance to the latter, it is clarified that legislation prevents farmers/landowners from burying dead stock or burning on site.

CONSULTATION

Highways and Transportation

No objection, subject to a condition requiring the access and off-street parking provision to be carried out in accordance with the submitted details.

Flood Risk Management

The site location plan provided identifies that the existing site is agricultural land. The Applicant has provided a general site layout and elevation of the proposed site but has not included any details in relation to the sites surface water flood risk or the proposals to drain the proposed developments surface water, other than to mention a soakaway.

Natural Resources Wales Surface Water Flood Risk Maps have been used to review the sites current risk of flooding. The summary of the review has identified low surface water flood risk on the proposed site and the developer must take this into consideration when developing the site.

The Applicant will be required to evidence the sites surface water discharge destination and principally the rate of discharge and demonstrate the pre and post catchment discharge rates for comparison. For a green field site, the Applicant will be required to provide like for like discharge rate for the inherent surface water flood risk within the area.

Based on the size of the construction works being greater than 100m² the applicant will be required under Schedule 3 of the Flood and Water Management Act 2010 to submit an application for SuDS approval prior to works taking place; alongside this requirement the Applicant is required to comply with Part H of the Building Regulations which sets out the design requirements associated to the use of infiltration drainage.

No objection or recommendation for condition in relation to surface water flood risk is recommended for this application since it will be adequately managed by both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010.

Public Health and Protection

With regard to construction, conditions are recommended in respect of noise, dust, waste, demolition, and hours of operation. However, given the scope of existing Public Health powers, it is considered that such issues are best addressed by an informative note to any planning consent.

However, in terms of the operation of the site, the Public Health and Protection section noted that the Applicant currently operates a premises of this nature in the next field, and that as a result of odour complaints received, a Section 80 Abatement Notice was served on the existing premises on 2nd August 2021.

Following receipt of the Odour Management Plan as requested, the Section has advised that it has no objection to the proposal providing that a condition is imposed on any consent such that the procedures and measures required by the Plan are implemented before the use of the premises commences and then shall operate as such in perpetuity.

Natural Resources Wales

NRW has confirmed they have no objection to the proposed development as submitted.

In relation to foul drainage NRW advises that the Applicant should be aware that to operate a private sewerage system, they will need to apply for an environmental permit or register an exemption with them. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met.

Should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with the NRW Permitting Team at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements.

NRW highlights that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

Dwr Cymru Welsh Water

Since the proposal intends utilising an alternative to mains drainage, we would advise that the applicant seek advice from Natural Resources Wales and or the Local Authority Building Control Department / Approved Building Inspector as both are responsible to regulate alternative methods of drainage.

Countryside – Ecologist

The ecology impacts are mitigable, and conditions are recommended for:

- Details of stone wall/hedgerow translocation and new hedgerow provision (to include only hawthorn and hazel in its composition), including details of how protected species will be appropriately considered in these works.
- Details of all habitat and species mitigation as set out in Section 4 and 5 of the BE Ecological September 2020 Preliminary Ecological Assessment.

The Coal Authority

The Coal Authority's information indicates that a coal seam is conjectured to outcrop across the footprint of the proposed building. The supporting Coal Mining Risk Assessment report has not satisfactorily demonstrated that seam has not been worked and does not pose a risk to the proposed development.

In the absence of a revised report, The Coal Authority considers that further site investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

As such, should planning permission be granted for the proposed development, a condition is recommended for the undertaking of a scheme of intrusive investigations and for any necessary remediation or mitigation measures to be implemented and validated.

The Coal Authority therefore has no objection to the proposed development subject to the imposition of the above condition.

Animal and Plant Health Agency

APHA's responsibility is limited to the assessment of the registration request which begins on receipt of the application from the operator.

Tonyrefail Community Council

The Community Council advises that it was involved in the pre-planning consultation of this application, and due to its complex nature did not feel that it was in a position to provide a fully informed response.

The Community Council understands that this application will be determined by the Planning and Development Committee and as such would request notification once the Committee Report has been prepared so it can be fully informed and make a late comment if required.

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 open countryside to the west of Penycoedcae

Policy CS2 – emphasises sustainable growth in the Southern Strategy Area (SSA) that protects the culture and identity of communities by focusing development within defined settlement boundaries. Emphasis will also be on protecting the cultural identity of the strategy area by protecting the natural environment.

Policy AW2 - supports 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 – 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. In addition, the development would require safe access to the highway network and provide parking in accordance with the Council's SPG.

Policy AW6 - supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness, and 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 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding, pollution and noise.

Policy SSA23 - identifies Special Landscape Areas where new development is expected to be of a high design standard.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking Requirements
- Nature Conservation

National Guidance

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

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

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

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

- Policy 1 – Where Wales will grow
- Policy 5 – Supporting the Rural Economy

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 6: Planning for Sustainable Rural Communities

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 18: Transport

PPW Technical Advice Note 21: Waste

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 application relates to the construction of a knackers yard and the creation of a new planning unit at Croft Yr Haidd. The role of a knacker is to dispatch sick or injured animals on farms and collect those that have died naturally, which may have been due to injury, disease or old age. Such work may also deal with animals killed or injured on the highway, or from equestrian businesses and activities. In many instances, as is the case with this application, the yard is used as a point of transfer to an incinerator, and no processing would occur on site.

A knacker's yard is classified as a B2 industrial use and would therefore normally need to meet the criteria of LDP Policy AW2, which defines whether a site can be considered a sustainable location and acceptable in principle. In this case, the development is clearly outside the settlement boundary and for a use that would mainly rely on vehicle transport movement, as is the case for the existing unauthorised facility at its current site in the neighbouring field.

However, whilst there would normally be an objection in principle to a B2 use in this location, the nature of the business is not one that should result in any noise creating practices, create commuting by employees to a place of work, attract visitors, or require frequent servicing by delivery vehicles. It's specialist nature also means that the client base is bound to be a wide one with ad-hoc demand and where no particular locational need can be established.

Consequently, whilst the development does not accord with all the criteria within Policy AW2, due to the type of use, it is accepted that it would be best accommodated in a rural location such as this rather than in a built up area within the settlement boundary.

In terms of national planning policy, PPW TAN21 (Waste) was referenced. However, the information within the TAN relates mainly to the management of mainstream waste from homes and businesses and establishes a waste hierarchy for waste prevention and recycling. Paragraphs 4.27 and 4.28 address the matter of niche waste disposal, but only in terms of animal carcasses or clinical waste where incineration is proposed. As a 'transfer' facility with no on-site processing, this is not relevant. TAN6 (Planning for Sustainable Rural Communities) was also consulted, but again, does not contain any specific guidance or direction in terms of the proposed development.

Nonetheless, Chapter 5 of PPW11 relates to the rural economy, paragraphs 5.6.1 and 5.6.2 stating that “The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas”, and “Small-scale enterprises have a vital role to play in the rural economy and contribute to both local and national competitiveness and prosperity. While some employment can be created in rural locations by the re-use of existing buildings, new development will be required in many areas”.

Also, within PPW11, paragraph 6.7.15 advises on the location of commercial, industrial, or other potentially polluting development and suggests that “such development should be located in areas where there is low potential for public exposure”. Although this small-scale development should not cause any pollution, the matter of odour being considered further below, PPW11 indicates that a built up area within the settlement boundary would not be appropriate.

Lastly, it would be helpful to clarify that the proposed development does not meet the criteria set out in Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 and does not require EIA to be undertaken.

In light of the above, the development would be acceptable in principle, but this is subject to consideration of the material matters below.

Impact on the character and appearance of the area

The site is located within the Mynydd y Glyn & Nant Muchudd basin Special Landscape Area. The ‘primary landscape qualities & features’ relevant to the site include: the largest area in RCT of un-industrialised lowland farmland rising to the open and forested hill of Mynydd y Glyn to the north.

In the basin there is a very attractive network of narrow winding lanes, small irregular fields bounded by large mixed hedges and many trees, scattered farms, unlike any other part of RCT. There are stone walls and open grassland on higher slopes.

The key policies relevant to the site include ensuring that no large scale developments to spoil the integrity and seclusion of basin and surrounding slopes, and to conserve both primary habitats relating to unimproved grassland and old patterns of farmland, with large hedges and many trees. To be in accordance with Policy SSA 23 the proposed development should be of the highest siting, design, layout and materials.

It is accepted that the development would inevitably result in the loss of a greenfield site and would form a visible feature within the immediate area. However, when considering the siting and scale of the proposed development, on lower land than the existing, and its relationship with this wider area, neither the scale nor the appearance of the building would be considered detrimental. The development would be typical of the kind of agricultural structures and developments which are seen in rural countryside locations, and in this case, additional landscaping has been proposed as part of the scheme.

Subject to a condition to secure the removal of the existing relevant buildings from where the business is currently operated, so as to reduce the impact of the built development on the rural landscape, the development is therefore considered to be acceptable in terms of its visual impact.

Public health concerns and the amenity of neighbouring occupiers

Of the various objections highlighted by objectors, those relating to public health matters and smells are evidently a key concern and are addressed in the sub-sections below.

Odours/Pollution

The nature of the development would result in the temporary storage of biological waste. However, the building has been designed to comply with The Animal By-Products (Enforcement)(Wales) Regulations 2014 to ensure that the building would be acceptable for the use proposed. Additionally, it has been identified that waste would be removed on a weekly basis by a licensed contractor.

The Applicant's Odour Management Plan notes that potential odour sources at the site are limited to carcasses in transit and storage; no processing of animal by-products would take place at the site. The degree and character of emissions will vary greatly according to ages and condition. Since deliveries and collections would be in Defra-approved covered containers, the handling of materials in line with APHA guidelines, and the building be shut during unloading and loading operations, all emissions should be contained within the proposed building and contained in sheeted haulage vehicles.

The Odour Plan also notes that there is a second potential source of odour emissions at a hunt kennels, 100m north of the proposed site, which stores carcass parts for feeding to hounds kept at the site. It is understood that this site is known as an intermittent source of offensive odours, but at the time of writing, this site has not been visited by Public Health officers in order to differentiate it from the Applicant's current operating site as a source of odour giving rise to complaints in the locality.

This Odour Plan will form part of the site's operational management system and formalises how odours would be dealt with at the site when it is in operation. It identifies possible receptors of odours and describes the control measures that will be in place and protocols to be implemented in the event of out-of-boundary odour impacts being experienced.

All fluid trade effluent from the proposed use would be collected internally and piped to a buried tank. It should also be noted that this use requires separate licensing from the Animal & Plant Health Agency (APHA) which requires regular inspections to ensure compliance with the set standards. The Agent has confirmed that water supplies required for the operation of the site would be from rainwater harvesting, with a borehole back up.

As such, it is not considered that the development would give rise to any complex or hazardous effects in respect of natural resources or present significant risk of accident

The consultation response from the Council's Public Health and Protection section noted that the existing site had been served with an abatement notice as odours were likely to have emanated from the site could be considered to be a statutory nuisance.

Subsequently, a meeting was held between the Planning Officer and Environmental Health Officer (EHO), who confirmed that odours had been experienced on site at the time a delivery was taking place.

However, the EHO explained that he was confident that for the proposed site, subject to compliance with the Odour Management Plan and APHA regulations, there shouldn't be an odour problem. The site had also been visited in the presence of a representative from APHA and there was satisfaction with measures that had been taken in response to the complaint.

The EHO advised that no further odour nuisances had been established since and, noting that the site has been operating for several years as a fallen stock yard, also confirmed that there had been no record of any odour complaints received by Public Health until the first planning application was submitted.

Disease/Infection

A number of objectors raised concerns about the risk to health from a variety of diseases and conditions associated with livestock.

Whilst it should be noted that no objection was received from NRW and that the operations at the site would be regulated and inspected by the APHA, a Veterinary Assessment was provided to address those concerns. The Author of the Assessment advised that information had been made available regarding the inspections undertaken by APHA in 2018, 2019, 2020 and 2021, and has provided the following comments:

Escherichia coli (E. coli)

The toxin producing strains of E. coli are the producers of ill health in humans and these strains are sometimes present in faeces from grazing livestock. Wherever the dung from cattle or cows and calves or sheep is present there be these harmful strains. Human hands can then become contaminated by something as simple as tending to livestock (farmers) or persons visiting farms and walking in the countryside. Most illness in humans results from not removing these E. coli bacteria from hands and then contamination of human foodstuffs. The harmful strains are then consumed with food and can produce severe food poisoning. Hand washing and hygienic food preparation will prevent this form of severe E. coli infection.

The area around both the existing fallen stock facility and any new facility will be no more likely to be an E. coli risk than surrounding fields and walkways where there are animal droppings (cow pats and sheep faeces and/or manure spreading)

Alabama Rot

This can be very severe in dogs, but it is not a condition in humans. The disease in dogs causes marks, sores or ulcers on the skin and then vomiting with kidney failure. There is no risk to humans and no risk from fallen stock yards, knacker yards or hunt kennel facilities.

Blue Tongue

Blue tongue is a disease of sheep, cattle and goats, the virus of which can only be spread by insects. In the UK the insects responsible are mosquitoes. The disease is not contagious between animals and does not affect human beings. Farmers with sheep, goats and cattle should consult with their vet about vaccinating their stock against the strains of Blue Tongue. This disease is only spread by the insects feeding on the live animal and during the feeding process infecting the animals. Any fallen stock yard, knacker yard or hunt kennel yard will pose no risk to animals nor to human beings.

Covid 19

Various strains of the Covid type viruses (coronavirus) similar to that causing the pandemic world-wide in humans have been found in animals. Covid 19 is a risk factor in mink in some countries. However, Covid 19 is a disease of humans and spread from human to human by close contact. Animals in the UK, live or dead are not involved in the spread of this disease. The fallen stock yard's existence and the plan for any further yard poses no threat to the human population.

Foot and Mouth disease

Any signs of unexplained lameness in cloven footed animals especially if such animals are dribbling and unwell must be reported to DEFRA (Department of Environment, Food and Rural Affairs). It is referred to as the most contagious animal disease since the virus can spread exceptionally quickly. This virus does not produce disease in humans. There is a disease in humans referred to as "hand foot and mouth" which is a mild treatable condition and common in children under 5. The condition is produced by a virus different to Foot and Mouth in cattle, sheep, goats, and pigs. There is no foot and mouth infection in the UK. With any future outbreak, farms in the outbreak area will be virtually closed as will knacker yards and fallen stock yards and other connected industries. Foot and Mouth is a disease in cloven footed animals and poses no risk to humans

BSE

Any signs of BSE in cattle must be reported to DEFRA. There were 16 cases between 2011 and 2015. One case was identified in Scotland in 2018 and the most recent case discovered in England in September 2021. Material from cattle over 48 Months of age is screened in abattoirs and at fallen stock yards. The records following the inspections and testing of cattle tissue from over 48 months of age in the fallen stock yard have been seen and are all negative. The 15 routine visit inspection reports confirm that BSE is under constant surveillance and testing. The disease does not spread from animal to animal and was caused by the inclusion of meat and bone meal as a supplement in cattle feed. This procedure has been legally banned for many years.

Humans cannot be affected by any disease associated with BSE by being in the proximity of any fallen stock yard or knacker facility.

Anthrax

This is a rare bacterial disease from which cattle tend to die very quickly - any such animal is sampled on the farm to eliminate anthrax. Human anthrax used to infect workers in the hide and wool trades when anthrax spores were breathed in or when entering by mouth and can be successfully treated with penicillin. The most recent cases in humans were in 2010 when heroin users in Scotland were infected by injecting contaminated heroin. Spores can last for decades in soil and when deep excavations take place over previous cattle burial sites animals may eat the exposed spores and develop anthrax. The disease does not spread from animal to animal or from animals to humans. The persons at remote risk are the personnel who work with carcasses i.e., vets and fallen stock persons. This is only possible if in the very exceptional circumstance a carcass has not been tested before collection. If a case did emerge in such a facility, the business would be closed and only allowed to resume trade after a most thorough deep cleansing and disinfection. Any rare human disease is likely to be confined to the skin and can be treated. The last human case in the UK was in Wiltshire in 2015 and before that in South Wales in 2006.

Bovine TB

This is confirmed occasionally in humans after consumption of unpasteurised milk. Almost every human case of TB in the UK is caused following infection by the human form of TB bacteria which is different to the bovine type. This bacteria thrives and spreads in close knit communities in towns and cities. Persons cannot contract bovine TB by living in the vicinity of fallen stock facilities.

Foot and Mouth disease, BSE, Anthrax and Bovine TB are all notifiable to the animal health authorities in the UK, the reporting and control of them is thoroughly regulated

Physical Impact

Since the development would be in excess of 150m from the nearest dwelling, it is considered that the new building would not be detrimental to outlook, be capable of overshadowing neighbouring properties, or enabling intrusive views to the detriment of the amenity or privacy of existing residents.

Traffic

It is acknowledged that the proposed development may have the potential to give rise to nuisance arising from vehicular movements to/from the site which requires navigating narrow country lanes.

However, this would be similar to or no greater than that which already takes place at the existing adjacent site and neighbouring farms throughout the wider area which share the same network of country lanes.

The Applicant's Agent has confirmed that fallen stock and casualty animals are collected from sites around South Wales and stored prior to onward carriage to a licensed disposal site located in Staffordshire. The building is not normally used at weekends and there are usually up to four vehicle movements a day, on and off the site, with collections for onward transit in the region of once a week. The existing facility is too small to allow the doors to be shut during loading operations.

Conclusion

On balance, in terms of wider public health issues and the impact on the amenity of neighbouring residents, the application is considered to be acceptable, subject to compliance with the Odour Management Plan, for which condition 6 is recommended.

Access and highway safety

The submitted site plan indicates that access to the proposed development will be from Croft yr Haidd Road. The plan indicates that the existing means of access to the plot is to be improved. The improved access provides vision splays of circa 2.4m x 56m to the left and 2.4m x 84m to the right.

These vision splays are considered adequate considering that traffic speeds on Croft yr Haidd Road are limited due to its narrow width. In addition, there is sufficient space within the site to ensure vehicles are able to enter and exit the site in a forward gear.

The Council's adopted SPG for Access, Circulation and Parking Requirements has no specific requirement for a fallen stock yard. Nevertheless, there is ample space within the proposed development for off-street parking to be provided. The proposed development gives no undue cause for concern with regard to off-street parking provision.

Consequently, the Council's Highways and Transportation Section has advised that it has no objection to the proposal, subject to the condition referenced further above.

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 above, the proposed development is considered to align particularly well with the following national sustainable placemaking outcomes:

- **Facilitating Accessible and Healthy Environments:** The type and purpose of the development does not require trips to be made by private car and does not need to be accessible by active travel means or public transport.
- **Growing Our Economy in a Sustainable Manner:** The development would have a positive effect in its support of the rural economy and would utilise rainwater harvesting.
- **Maximising Environmental Protection:** The development would include a condition for biodiversity enhancement measures by way of bat and bird roosting provision, together with additional landscaping.

In respect of the other national outcomes listed the development would be considered to have a neutral 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 not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

Whilst the concerns raised by the closest neighbouring residents are acknowledged, particularly in relation to the status and operation of the current site, it is considered that matters relating to public health and odours have been addressed, being controllable either by condition or within the scope of other statutory regimes.

The proposal is comparable in scale and appearance to that of a relatively small agricultural barn and would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties.

In addition, although a B2 Use, the nature of the development, essentially a one-man business with limited vehicle movements, means that its location away from the settlement boundary can be considered an acceptable exception to Policy AW2, for the reasons outlined previously.

On account of the above the application is therefore considered to comply with Policies AW5, AW6, AW8, AW10, and SSA23 of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

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

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

2. The development hereby approved shall be carried out in accordance with the approved drawings and documents:
 - RAC/8770/2 Rev 2
 - RAC/8770/3 Rev 1
 - RAC/8770/4 Rev 1

and details and documents received on 5th August 2021, 30th September 2021, 18th October 2021.

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

3. i) No development shall commence until:
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

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

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

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

4. No development shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:
 - a) Details of a scheme for the stone wall/hedgerow translocation and new hedgerow provision (to include only hawthorn and hazel in its composition),

including details of how protected species will be appropriately considered in these works.

b) Details of a scheme for habitat and species mitigation as set in Section 4 and 5 of the Preliminary Ecological Assessment (BE Ecological, dated September 2020).

These measures shall be provided prior to beneficial occupation of the building and maintained in good order in perpetuity.

Reason: In the interests of biodiversity and nature conservation in accordance with PPW11 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

5. The means of access and off-street parking provision shall be provided on site in permanent materials in accordance with submitted drawing no. RAC/8770/2 Rev 2 prior to beneficial occupation of the proposed building. The off-street parking area shall remain for vehicular parking only.

Reason: To ensure adequate access and that vehicles are parked off the public highway, in the interests of highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. The development shall be operated wholly in accordance with the Odour Management Plan (Reading Agricultural Consultants, dated September 2021), received by the Local Planning Authority on 30th September 2021.

Reason: In the interests of residential amenity and public health, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Within one month of the beneficial use of the development commencing, details of a scheme for the removal of the existing buildings identified on drawing reference RAC/8770/2 Rev 2, including a timescale and method statement for their removal, shall be submitted to the Local Planning Authority for approval in writing.

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

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

8. The building shall only be used for the purposes of a knackers yard and for no other purposes within Use Class B2. No dissection, processing, or disposal by incineration (or any other means), shall take place within the site.

Reason: The site does not occupy a sustainable location, as defined by Policy AW2 of the Rhondda Cynon Taf Local Development Plan and would

therefore not be suitable for other uses which fall within the scope of Use Class B2.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2021-2022:

**PLANNING AND
DEVELOPMENT COMMITTEE
13th JANUARY 2022**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

	Agenda Item No.
APPLICATION NO: 21/0466 - Conversion of church to 8 apartments (Re-submission of 19/0829/10), Calvary Church, Wood Road, Treforest, Pontypridd	

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

That Members consider the proposed report and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Planning and Development Committee on 21st October 2021 with an officer recommendation of approval (a copy of the original report is reproduced as Appendix A).

Following consideration Members were minded to refuse the application contrary to the recommendation of the Director, Prosperity & Development as they considered the accommodation proposed was sub-standard and the site would be over-developed. Therefore, the matter was deferred to the next appropriate meeting of the Planning and Development Committee for a further report of the Director, Prosperity & Development, if necessary, in consultation with the Director, Legal & Democratic Services, highlighting the potential strengths and weaknesses of making a decision contrary to officer recommendation (minute 94 refers).

On 11th of November 2021 Planning and Environment Decisions Wales (PEDW) informed the Council that they had received an appeal against non-determination stating the following:

The Town and Country Planning Development Management Procedure (Wales) (Amendment) Order 2015 introduces a 4 week period of “dual jurisdiction” between

an Local Planning Authority (LPA) and PEDW where an appeal has been lodged for non-determination. This will allow an LPA to continue to determine an application for planning permission during the first 4 weeks of an appeal being made against non-determination.

Whilst the Council were not notified of the appeal until 11th of November 2021, PEDW advised that they had received it on the 29th October 2021, and therefore the 4 week period ended on 26th November 2021.

Due to the relevant deadlines for reports having to be written up in advance of Committee meetings, it was not possible to report the application back to Committee within the timeframe prescribed by PEDW. The only meeting that would have met the date provided by PEDW being that of 25th November 2021, the report preparation deadline for which had already passed.

The Council therefore cannot determine this application but has instead to consider what decision it would have come to in respect of the application, in order to be conveyed to PEDW and used as the basis for the Council's case at appeal.

The Officer's considerations of the application are set out in full in the original Committee report. It is considered that the conversion would bring a currently disused building back into beneficial use, would provide an alternative type of housing provision within the area and would include acceptable levels of off-street parking to serve the proposed development. However, if after further consideration, Members are of the opinion that the application should be refused, the following reason for refusal is suggested to reflect their views as previously expressed.

Reasons for refusal

- 1. The number of units proposed would represent overdevelopment of the site, resulting in cramped residential units with a poor standard of living accommodation to the detriment of future residents' living conditions, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.**

PLANNING & DEVELOPMENT COMMITTEE

21 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0466/10 (BJW)
APPLICANT: Mr Iqbal
DEVELOPMENT: Conversion of church to 8 apartments (Re-submission of 19/0829/10).
LOCATION: CALVARY CHURCH, WOOD ROAD, TREForest, PONTYPRIDD
DATE REGISTERED: 22/04/2021
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve.

REASONS: The revised application is considered to address the comments of the Planning Inspector in relation to the living conditions of the basement flat, for which the previous appeal was dismissed.

The application proposes the productive use of a currently disused building. The use of the site would be sympathetic and in keeping with surrounding land uses, which are predominantly residential, and would comply with the requirements of the Council's Supplementary Planning Guidance (SPG) for the conversion of larger buildings for residential purposes.

The application is therefore considered to comply with the relevant policies of the Local Development Plan in respect of its access and highway safety considerations, the amenities of nearby residential properties and the impact on the visual amenities of the area.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Director of Prosperity & Development as the proposal is for more than 5 residential units.

APPLICATION DETAILS

Full planning permission is sought for the conversion of the English Calvary Baptist Church, Cliff Terrace, Treforest into 8 no. apartments. The conversion would include the basement, lower ground floor, ground floor and first floor. The application is a re-submission of a previous application, reference no. 19/0829/10, which was refused by the Council and subsequently dismissed at appeal by the Planning Inspectorate.

The revised application would involve the conversion of the property with the following arrangement of accommodation proposed:

Basement – 2 no. 1 bed units and a cycle and bin store area
Lower ground floor – 1 no. 2 bed unit
Ground floor – 3 no. 2 bed units
First floor – 2 no. 2 bed units

The conversion would use the existing building with no external alterations proposed as part of the application.

The current application seeks to overcome the reasons for the dismissal of the appeal of application, 19/0829/10, and has revised the layout of one of the basement floor flats having regard to the Inspector's comments. This has resulted in one of the flats being altered from a two-bedroom unit to a single bedroom unit and the living accommodation being moved to the north-east of the building, mimicking the layout of the other unit within the basement area.

SITE APPRAISAL

English Calvary Baptist Church is a large, civic scale religious building located within a predominantly residential area in the village of Treforest.

The building has a 2+ storey façade facing Cliff Terrace while the rear includes a lower ground floor and basement due to the sloping nature of the site to the north east onto the main railway line.

The highway to the front of the building is narrow and constrained to a single width of carriageway due to the historic layout of the area.

PLANNING HISTORY

19/0829/10	English Calvary Baptist Church, Cliff Terrace, Treforest, Pontypridd.	Conversion of a church to 8 apartments (amended parking scheme received 06/12/2019).	Refused 10/09/2020 Appeal dismissed 06/01/2021
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PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. Two responses have been received, the main points of which are detailed below:

- Lack of parking facilities for the proposal and the impact on existing parking within the area which is already oversubscribed.
- Lack of need. There are a large amount of empty properties already so is there really a need for more?
- Ecological and architectural issues have not been addressed.

CONSULTATION

Transportation Section – no objection, subject to conditions. Additional comments are made in relation to the previous refusal, the dismissed appeal and the Inspector’s comments in relation to the impact on highway safety considerations.

Flood Risk Management (Drainage) – No objection, subject to a condition in relation to surface water flood risk for this application as surface water runoff will discharge off site.

Public Health and Protection – No objection, subject to a condition to restrict the hours of operation during the construction phase of the development, a condition to require a scheme for noise attenuation from the adjacent railway line, prior to commencement, and standard informative notes in respect of noise, waste and dust associated with the proposed development.

Natural Resources Wales (NRW) – No objection.

Glamorgan Gwent Archaeological Trust (GGAT) – No objection, however the proposal will require historic environment mitigation in the form of a condition to secure an appropriate programme of historic building recording and analysis and informative notes.

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

Western Power Distribution - No objection. The applicant should be aware that if they require a new connection, disconnection or service alteration that they should contact Western Power Distribution.

South Wales Fire and Rescue Service – No objection. Advice is provided in terms of the provision of adequate water supplies on site for fire-fighting purposes and access for emergency firefighting appliances.

Pontypridd Town Council – No response received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The property is within the defined settlement boundary and is unallocated.

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

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

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

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

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

Policy SSA13 - permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

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

National Guidance

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

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

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

Given the relatively modest 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.

Planning Policy Wales Technical Advice Note 12 Design.

Sets out the objectives of good design and aims to encourage good design in all aspects of development.

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

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

Main issues:

Overview since previous dismissal of appeal at the site

As set out in the application details above, a previous application at the site for a similar development of 8 no. flats was recently refused by the Council's Planning and Development Committee. The reasons for refusal were:

1. The proposed development would represent overdevelopment of the site resulting in units with a poor standard of living accommodation to the detriment of future residents' living conditions, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.
2. In the absence of adequate off-street parking facilities (shortfall of 11 spaces), the proposed development would lead to increased levels of indiscriminate on-street car parking in an area where there is already considerable demand leading to unacceptable highway and pedestrian safety concerns to the detriment of safety of all highway users and free flow of traffic.

The applicant subsequently appealed the refusal to the Planning Inspectorate who dismissed the appeal and upheld the Council's decision.

However, the appeal was dismissed solely on the basis that the parking structure proposed to accommodate cars at the site:

"would significantly limit daylight levels within unit 8's lounge/kitchen." and

"Irrespective of the design details, the limited gap and height of the structure relative to the window would result in a gloomy and oppressive outlook. Although the structure would have little impact on unit 8's bedroom windows, the poor outlook and daylight levels within the flat's main habitable room would unacceptably harm occupants' living conditions."

The Planning Inspector did not support the second reason for refusal, that of inadequate parking facilities which would lead to *"unacceptable highway and pedestrian safety concerns to the detriment of safety of all highway users and free flow of traffic."*

In his comments the Planning Inspector stated that:

"Having regard to the appeal site location, the scale/nature of the residential accommodation proposed and the building's existing use, I consider that the 7 off-street parking spaces proposed would strike an appropriate balance between promoting sustainable transport options for future residents whilst avoiding a level of overspill parking which would detrimentally affect the safety or convenience of highway"

users. Consequently, I conclude that the proposal would accord with the accessibility and highway objectives of LDP policy AW5 (2) and the guidance included in the Council's SPG."

In light of the appeal decision, the scheme has been altered and the layout of the unit referred to (8) changed to specifically address the concerns of the Planning Inspector. The unit would still be located within the basement of the building but has been reduced from a two bed unit to a one bed unit and the main living accommodation has been moved further along the building, the same as the other unit in the basement, to improve its outlook and levels of daylight.

Having regard to this overview, the other issues in relation to the consideration of the current application are detailed as follows:

Principle of the proposed development

As previously stated, the site consists a disused and neglected church building with some attached ancillary buildings within a restricted plot in a prominent roadside position within the village of Treforest.

The site is within the defined settlement boundary where development is considered to be acceptable, subject to compliance with other policies in the Local Development Plan. The premises has been disused for over three years before which it was used as a place of worship.

In terms of land-use planning considerations the site is within a sustainable location that has reasonable access to transport nodes, goods and services and is therefore in accordance with Policy AW2. The proposal would be sympathetic to surrounding land uses, which are predominantly residential, and would provide an alternative type of residential accommodation as well as securing a productive use for a currently disused site within the locality.

In this respect the re-use of the building is considered to be positive. However, the application will also need to be considered against the Council's Supplementary Planning Guidance (SPG) relating to the conversion of larger buildings into flats. The proposal features a prominent and identifiable entrance which is located at the front of the property. There is also space for bin storage and cycle storage within the property as well as limited amenity space and the potential for off-street parking within the site.

While it is acknowledged that the units to the rear and within the lower ground floor and basement levels would not be ideally appointed, it is considered that they do have reasonable levels of natural light and outlook due to the sloping nature of the site.

In particular, the reduction in accommodation and the revised layout within the basement level of one of the flats, which was specifically mentioned by the Planning Inspector, has improved both the outlook and levels of possible daylight to this unit. In this regard, it is now considered that the concerns of the Inspector have been adequately addressed and this unit, like many basement flats, while not ideal, would be generally acceptable.

The principle of the development is therefore considered to accord with the provisions of the Local Development Plan, nevertheless, the proposal must also be assessed in line with the other key requirements of planning policy as discussed below.

Impact on amenities of neighbouring properties

The new residential units that would be formed within the conversion would be in close proximity to existing properties opposite the site.

The application proposes no external alterations to the building and it is indicated that the existing openings will be utilised to serve the development.

There is potential for overlooking from habitable rooms to existing properties to the south and east of the property, however it is considered that this could be successfully mitigated through the use of obscure glazing to a portion of habitable room windows where the relationship is close and direct. While this has not been the source of an objection, it is considered prudent to control the glazing of the upper floor windows to be obscure glazed to a height of 1.8m from finished floor level to mitigate any potential adverse impact.

It is also considered that as the proposal is a conversion and would be of an identical scale, that the development would not have an overbearing impact on neighbouring properties.

Character and appearance of the area

The building is a large and attractive chapel building which retains much of its original character although its condition is clearly worsening due to disuse.

The proposal would retain the existing facade. The works to the front of the property to create the parking area are considered to be proportionate and visually acceptable to a conversion of this nature.

Consequently, it is considered that the scale and design of the converted property would remain sympathetic and be in keeping with the existing dwellings in the area. Therefore, the application is considered to be acceptable in this respect.

Highway safety

The Transportation Section has raised no objection to the revised application in terms of parking facilities and general highway safety considerations.

In coming to this view and having regards to the comments of the Planning Inspector the Transportation Section conclude:

In light of the Planning Inspector's comments within the appeal decision notice which dismissed the reasons for objection on the grounds of increased indiscriminate parking as a result of the proposed parking being below the maximum standards set out within the Council's SPG: Access Circulation and Parking and the adequacy of the proposed 7 spaces, no highway objection is raised.

Consequently, the original comments offered in relation to highway safety considerations, including additional consideration of the Planning Inspector's comments are set out below:

Access

The proposed development would be served off Cliff Street via the existing means of access to the Church. In the vicinity of the development Cliff Street can only accommodate single file traffic and has a continuous footway on the development side only. Double yellow line road markings prevent on-street parking at the acute angled priority junction with Wood Road and the sub-standard turning area at the limit of Cliff Street.

At paragraphs 5 and 6 of the Inspector's decision notice the Inspector commented with regard access to the site as follows:

"5. On my site visit I saw evident demand for on-street car parking in the immediate vicinity. Parking restrictions and highway geometries on Wood Road and a general absence of curtilage parking significantly limit parking options for residents. Whilst there are no parking restrictions on Cliff Terrace, I again saw evident competition for road space. I noted ad hoc parking on footways which would be likely to inconvenience pedestrians who may use Cliff Terrace to avoid the narrow footway on Wood Road or to reach the flight of steps leading to Broadway.

6. Further to this, the junction of Cliff Terrace with Wood Road, which lies immediately to the site's south, is acute angled and the highway is significantly limited in width at the site frontage. On-street parking pressures nearby also plainly influence traffic flows on Wood Road, with vehicles having to wait to pass one another in several places. These highway conditions could not be described as optimal."

Although the Inspector considered the highway conditions as 'not optimal', the prevailing conditions were not considered significant enough to support grounds for dismissing the appeal. Therefore, given the existing dwellings on the street and the development's historic use as a church, the concern with regard access is not considered significant enough to warrant highway objection.

Parking

Highway observations submitted for application 19/0829 stated the car parking requirements in accordance with the Council's SPG as:

The proposed provides 8 no. 1-2 bedroom apartments which in accordance with the Council's SPG: Access, Circulation & Parking Requirements has a parking requirement of 18 off-street car parking spaces.

The amended site layout plan indicates that 7 no. off-street parking spaces are to be provided off Cliff Terrace. This results in a shortfall of 11 spaces, which gives cause for concern. However, when considering the SPG advice that residents of flats often have lower car ownership rates than other types of household and the sustainable

location of the proposed development, the concern is not significant enough to warrant highway objection.

At paragraph 7-10 of the Inspectors decision notice the Inspector outlined factors considered in his assessment of parking provision as follows:

“7. The Council’s ‘Development of Flats – Conversions and New Build’ Supplementary Planning Guidance (SPG) indicates that car parking should be provided at a maximum of 1 space per bedroom and 1 visitor space per 5 flats. The Council estimates that the appeal proposal would accordingly generate a maximum ‘requirement’ of 18 spaces. Planning Policy Wales indicates, however, that parking standards should be applied flexibly and that planning authorities must support schemes which keep parking levels down, especially off-street parking. In this case, the appeal site is located close to shops, services and public transport and the proposal would incorporate internal cycle storage. Given the site’s location, and the flatted nature of accommodation and modest floorspace of the proposed units, I consider that the ‘maximum requirement’ estimated by the Council is likely to considerably overstate the demand for car parking generated by future occupants of the proposal.

8. There would, however, be nothing to restrict future occupants from owning vehicles and it is therefore probable that the proposal would generate some demand for on-street parking. Whilst I recognise that the use of the appeal building as a church or other non-residential institution could increase on-street parking locally, and possibly more acutely, it is likely that this would be time-limited. The 8 proposed residential units, on the other hand, would be likely to be occupied throughout the week.

9. Given the local highway conditions, I consider that this proposal warrants the provision of an element of off-street car parking. To not do so would, in my view, have the potential to result in overspill parking which would have a material impact on the convenience and safety of highway users on Church Terrace and Wood Road.

10. My attention has been drawn to residential conversions permitted elsewhere within the County Borough which provide fewer parking spaces than the SPG maximum requirement; in two cases with no parking provided. The details of these schemes are not before me, but the individual site circumstances are likely to be determinative in each case. Having regard to the appeal site location, the scale/nature of the residential accommodation proposed and the building’s existing use, I consider that the 7 off-street parking spaces proposed would strike an appropriate balance between promoting sustainable transport options for future residents whilst avoiding a level of overspill parking which would detrimentally affect the safety or convenience of highway users. Consequently, I conclude that the proposal would accord with the accessibility and highway objectives of LDP policy AW 5 (2) and the guidance included in the Council’s SPG.”

Within the appeal decision at paragraph 10 the Inspector has clearly concluded that on the basis of Planning Policy Wales, the sustainable location and flatted nature of the development, that the proposed 7 off-street parking spaces would be acceptable and therefore the parking provision shown on drawing no. “CEX7/6” which provides a 6m width to facilitate manoeuvring into and out of the spaces is acceptable.

Furthermore, the submitted drawing no. "CEX7/6" indicates that cycle storage is available within the basement promoting sustainable modes of travel which is considered acceptable to encourage the use of sustainable modes of travel /Active Travel.

Other Issues

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

In terms of the comments of neighbouring residents, the following comments are offered:

The application provides 7 no. parking spaces to serve the development. While it is acknowledged that this is less than would be ideally required, the fall-back position is that the use of the property as a Church or a similar D1 use (such as a clinic, crèche, day nursery or non-residential educational facility etc.) would generate an even higher requirement without the necessity for planning permission or any ancillary parking provision.

The need for additional housing is a matter for market forces and not material to the consideration of the planning application.

Natural Resources Wales (NRW) have raised no objection in terms of ecological issues at the site.

Community Infrastructure Levy (CIL) Liability

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

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

The CIL (including indexation) for this development is expected to be £37,488.70.

Conclusion

The amended layout of the basement flat is considered to have adequately addressed the concerns of the Planning Inspector in relation to the previously dismissed appeal at the site.

Consequently, the proposed amended scheme is considered to be a productive use of the property and a sympathetic and conforming use that would be of an acceptable scale and design, would not have a harmful impact on neighbouring

properties, the visual amenity of the area or highway safety considerations. The proposal is therefore considered to be acceptable.

RECOMMENDATION: Grant

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

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

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

Site location plan, Plan No. CEX7/1
Block plan, including parking provision, Plan No. CEX7/10/A
Proposed basement level, Plan No. CEX7/6/a
Proposed lower ground floor plan, Plan No. CEX7/7
Proposed ground floor plan, Plan No. CEX7/8
Proposed first floor plan, Plan No. CEX7/9

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

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

4. Notwithstanding the details shown on the submitted plans, development shall not commence until details of a scheme of obscure glazing of the first floor side facing windows in the south-west and south-east elevations (facing 40 and 41 Wood Road) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the levels of obscurity to a minimum of level three. The agreed scheme shall be installed at the property to a height of 1.8m from finished floor level prior to beneficial occupation of any unit and shall be retained in place in perpetuity.

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

5. No development shall commence until the applicant evidences how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The development shall be carried out in accordance with the agreed details prior to beneficial occupation of any unit.

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

6. No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority

Reason: As the building is of architectural and cultural significance the specified records are required to mitigate impact in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall commence until a scheme for protecting the future occupiers of the development from noise from the adjacent Pontypridd – Cardiff railway line has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be implemented before any unit is occupied and shall remain in perpetuity.

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

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

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

9. Notwithstanding the submitted plans, development shall not commence until details providing for a vehicular crossover in accordance with Highway Design Guide Standard Details Drg. No. 111 have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to beneficial occupation of any unit.

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

10. The parking spaces indicated on drawing no. CEX7/10/A shall be constructed on site in permanent materials prior to beneficial occupation of any unit and retained for the purpose of vehicular parking only thereafter.

Reason: To ensure vehicles are parked off the public highway, in the interests of highway safety in accordance with Policy AW5 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
13th JANUARY 2022**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

	Agenda Item No.
APPLICATION NO: 21/1179 - Demolition of The Dragon (formerly The Bridge Inn) and no. 1 Saron Street, and erection of 5 no. units of purpose built student accommodation (sui generis). Amended plans received 19/10/21, The Dragon Inn & 1 Saron Street, Treforest, Pontypridd	

1. PURPOSE OF THE REPORT

Members are asked to determine the above planning application.

2. RECOMMENDATION

To approve the application in accordance with the recommendations of the Service Director, Planning.

3. BACKGROUND

This application was originally reported to the Development Control Committee on 2nd December 2021 (A copy of the original report is attached as Appendix A). Following consideration of the application, Members resolved to refuse planning permission, contrary to the recommendation of the report. Members reached this conclusion as they considered that the development would result in an adverse impact upon both the character and appearance of the site and wider conservation area.

As set out in the original report to Committee, the planning history of the site reveals that in 2017 planning permission was approved for the conversion of the existing public house to form 4 no. flats, with a total of 13 bedrooms, providing student accommodation. However, more recently planning permission was approved, on appeal in January 2019 (18/0204/10), for the construction of a purpose-built student accommodation block, comprising 25no. bedrooms arranged over 5 flats. This permission remains live and may be implemented. The current scheme (submitted by the same applicant) seeks to revisit the design and appearance of the proposed building; however, it does not propose either an increase in the number of units or bedrooms proposed within the scheme. As such, it is considered that the principle of residential use as purpose-built student accommodation on the site has clearly been established as acceptable.

Given the above, it is considered that the key consideration in the assessment of the current application relates to the changes in design and scale proposed by the revised submission.

As with the consented scheme, the current application would result in the development of a prominent building occupying a corner position on the junction of Bridge Street and Saron Street. Similarly, the overall footprint of the proposed building would be comparable to that approved, occupying almost the entire plot. The key changes relate to the appearance of the building, particularly from Bridge Street and Saron Street. Whilst the current scheme retains the three storey block at the west of the site (adjacent to the railway embankment). The design, layout and appearance of the two storey block fronting Saron Street has been revised. The revised approach is that this structure would now take the form a three-storey block, albeit that the third storey would have the appearance of a roof space. This would be achieved by setting the upper storey of the north and west elevations of the building at an angle to the ground and first floor elevation, in order to give the appearance of a mansard style roof construction. The accommodation created within this 'roof space' would then be served by roof lights in the sloping faces of the north and west elevations. Whilst large dormers were initially proposed, these were subsequently removed with a view to reducing the potential visual mass of the upper floor.

It is acknowledged that the design changes have resulted in an increase in the size of the building, by way of its height fronting Saron Street. However, having assessed the scheme it is not considered that the increase is so significant as to cause visual harm. The height of the larger three storey block adjacent to the railway embankment remains unchanged. Under the 2018 scheme the two storey block extended to 5.8, the current application sees this increase by 2.2 metres. However, it is considered that the potential increase in mass and bulk of the proposed Saron Street block is partially off set by the design of the upper floor, which would appear as a 'mansard style roof'. Street scene montages which accompany the application also illustrate that whilst the height of the block would extend above the ridge line of dwellings on Saron Street, the increase is limited to approximately 1.6 metres. Furthermore, it is noted that a comparable arrangement exists at the opposing end of the street, whereby Saron Chapel extends above the height of the ridgeline established by the terrace.

Whilst the increase in height of the block fronting Saron Street is acknowledged, it is commented that the design of the current scheme represents some benefits over and above the scheme that was allowed at appeal. Most notably, it is commented that the change in height between the two elements of the building (east and west blocks) is less jarring, particularly on the prominent side elevation fronting Bridge Street. It is also noted that the introduction of the mansard style roof has more positive factors, in terms of design quality, than the approved flat roof design. As such, whilst it is acknowledged that the proposal would result in the formation of a prominent building, close to a number of well used routes, it is considered that the revised scheme is acceptable in design terms and would not result in an adverse impact upon either the setting or appearance of the conservation area. As such, it is considered that the proposal would accord with policies AW5 and AW7 of the Rhondda Cynon Taf Local Development Plan.

As such, to conclude, the approval, on appeal, of an earlier scheme at the site has clearly established that the principle of a 25 bed purpose built student accommodation building is acceptable. Furthermore, the Inspector concluded that given the highly sustainable location of the site, the scheme was also considered acceptable in highway safety terms. As such, it is considered that the key issue in the assessment of this application relates to the changes proposed to the scale and appearance of the development. Whilst it is acknowledged that the amendments would result in an increase in the height of the part of the building which addresses Saron Street/ Bridge Street, it is considered that changes to the design, which are associated with this, would not be harmful to either the character or setting of the site and conservation area. Similarly, given the layout and topography of the site, it is not considered that the levels of amenity of neighbouring residents would be affected to a greater degree than the approved scheme.

As such, having regard to both the planning history of the site, the Inspectors earlier appeal decision and the comments of consultees, it is considered that the application accords with the requirements of planning policy.

Notwithstanding the above, if Members are still minded to refuse permission, the following reason is presented for consideration.

- 1. As a result of the scale and appearance of the proposed student accommodation block, it is considered that the development would appear out of keeping with both the character and appearance of the existing development in the vicinity of the site and the wider conservation area. As such the proposal is considered to be contrary to policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.**

PLANNING & DEVELOPMENT COMMITTEE**2 DECEMBER 2021****REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT****PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1179/10 (EL)
APPLICANT: Mr Smith
DEVELOPMENT: Demolition of The Dragon (formerly The Bridge Inn) and no. 1 Saron Street, and erection of 5 no. units of purpose built student accommodation (sui generis). Amended plans received 19/10/21.
LOCATION: THE DRAGON INN AND 1 SARON STREET, TREFOREST, PONTYPRIDD, CF37 1TF
DATE REGISTERED: 27/08/2021
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve

REASONS: The principle of the redevelopment of the site as purpose-built student accommodation has been established as acceptable by the approval of an earlier planning appeal at the site. The proposed changes in terms of layout, scale and design are considered acceptable in terms of their impacts upon both the character and appearance of the conservation area and amenity of neighbouring residents. The scheme is also considered acceptable in highway safety terms. As such, the proposal accords with the requirements of relevant policies of the Rhondda Cynon Taf Local Development Plan and National Policy.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to Service Director Planning.

APPLICATION DETAILS

Full planning permission is sought for the demolition of The Dragon Inn (formerly The Bridge Inn) and 1 Saron Street and erection of a purpose built student accommodation block, comprising 5 no. units of accommodation.

The site occupies a corner position on the junction of Saron Street and Bridge Street. The proposed building would occupy almost the entire plot, with a broadly rectangular footprint. The building would extend to a maximum of 23.0 metres in length and 12.5 metres in width.

The building is essentially formed by two blocks; a three-storey block would occupy the eastern extent of the site, siting adjacent to the boundary with the railway embankment. This would have a flat roof design and would extend to 8.6 metres in height. The western extent of the building forms the 'second block' this would take the form a three-storey block, albeit that the third storey would have the appearance of a roof space, with the accommodation created being served by roof lights in the sloping faces of the north and west elevations. When viewed from Saron Street, this block would extend to 8.0 metres in height, siting below that of the adjoining 'eastern block'.

The building would be divided into 5 separate units, each providing 5 no. bedrooms arranged over three floors, with the development providing a total of 25 bedrooms. Each of the 5 units would benefit from its own 'front door' access onto Saron Street. With each unit also having its own (partially concealed) bin store space to the front, street elevation. The front elevation of the building would be off-set slightly from the line of the highway fronting Saron Street, meaning that space would be available to create small rain gardens to the front of each of the units. Cycle storage would be provided within the hallways of each of the units.

The building itself is contemporary in its design, with the primary material proposed for the elevations of the eastern three storey block, adjacent to the railway line being a composite cladding, with panels adjacent to window openings being in a contrasting colour tone to add interest.

As noted above, the second western 'block' of the building, which would occupy a position on the junction of Bridge Street and Saron Street would also be a three storey construction, albeit at a lesser scale to the first. Whilst accommodation would be arranged over three floors, the upper storey of the north and west elevations of the building would be angled in order to give the appearance of a mansard style roof construction. Ground and first floor elevations would be finished in a painted render, with the upper floor (roof) having a tiled finish. The result being this part of the building would have an appearance comparable to a modern terrace of 5 no. dwellings. A uniform pattern of fenestration appears on the north and west elevations to serve the residential accommodation, with those openings on the Saron Street elevation having a strong vertical emphasis.

The application is accompanied by a Design and Access Statement which states that the applicant's vision is *"to provide a distinctive landmark structure which sits on this important corner junction and provides the sort of more dominant urban insertion which the large chapel at the other end of Saron Street provides."*

It is noted that applications for both conservation area consent and planning permission for the redevelopment of the site, by the construction of a 3 storey student accommodation block comprising 5 flats (25 bedrooms), were allowed at appeal in January 2019.

Site Appraisal

The application site is made up of the former Bridge Inn Public House and number 1 Saron Street. As such, the site forms a corner plot on the junction of Bridge Street

and Saron Street, which extends to approximately 335 square metres. The site lies in the Old Park Terrace Conservation Area of Treforest. This is a small conservation area separated from Castle Square Conservation Area by the railway line. This area contains notable examples of C19th architecture and townscape illustrating the local social history. The Bridge Inn is a two storey property, which although currently vacant is known to have been depicted as a public house since the First Edition Ordnance Survey map in 1875. The main building fronts Bridge Street, with an annexe to the rear. Directly adjoining the building is number 1 Saron Street, a two storey residential dwelling. A small gap in the terrace separates number 1 from the remainder of the terrace dwellings on Saron Street. Saron Street is a narrow residential street, characterised by relatively small two storey dwellings. At the southern end of the street, is Saron Chapel, a prominent historic building, which gives its name to the street. Saron Street is quiet no-through road to traffic and on-street parking restrictions are in place in the vicinity of the site. To the east the site is bounded by the railway line.

Planning History

18/0204	The Dragon Inn & 1 Saron Street, Treforest, Pontypridd CF37 1TF	Demolition of The Dragon Inn (Formerly The Bridge Inn) and No. 1 Saron Street, and erection of 3 storey student accommodation block (sui generis) comprising 5 flats. (Amended Plans Received 19th June 2018)	Allowed on appeal 11/01/19
18/0287	The Dragon Inn & 1 Saron Street, Treforest, Pontypridd CF37 1TF	Conservation area consent for demolition of The Dragon Inn (formerly The Bridge Inn) and 1 Saron Street and erection of 3 storey student accommodation block, comprising 6 flats.	Allowed on appeal 11/01/19
16/1181	The Bridge Inn, Bridge Street, Treforest	Conversion, extension and change of use from Public House (A3) to 4 no. student flats with amenity / service area to rear.	Granted with conditions 22/08/17

PUBLICITY

The application was advertised by direct neighbour notification, site notices and press notice. Letters of representation have been received from 6 residents in response to the application along with a letter of objection from Pontypridd Town Council. These are summarised as follows:

Parking and Highway Safety

- Concerns are expressed with regard to the parking problems which already exist in the vicinity of the site. It is commented that the proposed development would make this situation worse.

- Concerns are expressed that the construction period would also be extremely disruptive to residents both in terms of access to their homes and noise and disturbance. It is also noted that the streets which serve the site are narrow and not suitable for large vehicles. Saron Street is a cul-de-sac with no turning area.
- Questions are raised with regard to where plant, machinery and materials would be stored during construction.
- It is noted that there are only limited car parking spaces (on-street) on Saron Street for 20 houses. They state there is no more room to accommodate further vehicles.

Visual Impacts

- Concerns are expressed with regard to the appearance of the building.
- Residents state they believe the building would be out of keeping with the appearance and proportions of the area.
- It is commented that the site is in a conservation area and this too should be taken into account.
- The scheme does not take account of the topology of Saron Street and Bridge Street, which are both very old narrow streets.
- Concern is expressed that in placing the access to the building onto Saron Street, this will place further pressure on the street and its residents.

Amenity Impacts

- A resident (on Saron Street) express concern that the development may result in a loss of light to their property.
- Other residents state the development would result in a negative impact upon the amenity of existing residents.

Other

- It is questioned whether there is a 'need' for more student accommodation in the area, as many existing student rental properties are vacant.
- Concern is expressed that the development of further student accommodation would further erode the community of Treforest. It is suggested that a lack of family homes, means families are moving away from Treforest, therefore adversely affecting the sustainability of the community.
- Questions are raised with regard to how it could be ensured the development remains in use for students.
- Questions are raised with regard to whether students would be prevented from owning cars.
- Questions are raised with regard to whether a Travel Plan is required.
- Questions are raised with regard to the potential impact of the development upon the structural integrity of the nearby railway bridge.
- It is claimed that the development would result in a loss of value to existing properties.
- Reference is made to the Well-being of Future Generations (Wales) Act 2015. It is asked that regard is given to the part of the legislation which refers to 'A Healthier Wales; a country in which "people's physical and mental wellbeing is maximised"'. It is commented that it is the view of the Town Council that the

development, because of the potential mental distress that it may cause, runs counter to this duty.

CONSULTATION

Transportation Section – no objections raised subject to conditions.

Public Health and Protection – no objections raised, condition suggested requiring the submission of a scheme for protecting the future occupiers of the development from noise from the adjacent Cardiff - Merthyr Railway Line.

Countryside, Landscape & Ecology –no objections raised, the application is accompanied by an appropriate update to an earlier bat survey. Conditions and informative note suggested.

Land Reclamation and Engineering – no objections raised.

Dwr Cymru – no objections raised, conditions suggested.

Network Rail – no objections raised advised consultation with Transport for Wales

Transport for Wales – no response received to date.

Glamorgan Gwent Archaeological Trust – no objections raised. As part of the assessment of an earlier application, a Level 3 building survey has been completed and submitted to the regional historic environment record. This provides appropriate preservation by record for the existing structures on site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries and within the Old Park Terrace Conservation Area.

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

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

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

AW7 – states that development proposals which impact upon sites of architectural or historic merit will only be permitted where the proposal would preserve or enhance the appearance of the site.

AW8 - provides the criteria for the protection and enhancement of the natural environment

SSA12 - seeks 20% affordable housing in schemes of 5 units or more, however developments for student accommodation are exempt from these obligations.

SSA13 - provides the criteria for development within settlement limits.

Supplementary Planning Guidance

Supplementary Planning Guidance: The Historic Built Environment

Supplementary Planning Guidance: Development of Flats – Conversions and New Build.

Supplementary Planning Guidance: Houses in Multiple Occupation (HMOs)

National Guidance

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

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

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

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

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues

The current application proposes the demolition of The Dragon Inn (formerly The Bridge Inn) and 1 Saron Street in order to enable the erection of a 3 storey student accommodation block, comprising 5 units, each with 5 no. bedrooms. As such, the key considerations in the determination of the application are whether the proposed use is compatible with the sites location, along with the potential impacts of the resulting development upon both the character of the site and its wider conservation area setting. The potential impacts of the development upon the amenity of neighbouring occupiers and highway safety are further considerations.

Principle of development and background

The application site is located within settlement limits, with the site occupying a central position on an established street close to a range of amenities and transport links. Planning policy AW1 sets out the requirements for new housing development and the methods by which the provision of new housing will be met. Furthermore, policy AW2 promotes development sustainable locations such as this. In addition to this, consideration must also be given to the planning history of the site. This reveals that in 2017 planning permission was approved for the conversion of the existing public house to form 4 no. flats, with a total of 13 bedrooms, providing student accommodation. However, more recently planning permission was approved, on appeal in January 2019 (18/0204/10), for the construction of a purpose-built student accommodation block, comprising 25no. bedrooms arranged over 5 flats.

The current application (submitted by the same applicant) seeks to revisit the design and appearance of the proposed building. The application does not propose either an increase in the number of units or bedrooms proposed within the scheme.

Nevertheless, it is noted that following the publicity of the planning application concern has been raised by residents regarding the introduction of student accommodation to, what is largely at present, still a conventional residential terrace (Saron Street). Further reference is made to the negative impacts, in terms of social cohesion, that have resulted upon the local community by the rising numbers and concentration of houses in multiple occupation in Treforest.

Whilst these concerns are understood, it is important to make clear the distinctions, in terms of the planning classification, between purpose built student accommodation and houses in multiple occupation. Each of the aforementioned uses fall within different uses classes; with purpose built student accommodation being classified as a 'sui generis – student accommodation' and a house in multiple occupation (HMO) being classified as either Class C4 or 'sui generis–HMO'. Therefore, whilst it is acknowledged that there may be some similarities between the two development types, a proposal for sui generis purpose built student accommodation cannot be assessed strictly against the same criteria that is set out with the Council's *Supplementary Planning Guidance: Houses in Multiple Occupation*, which is intended to control Class C4 houses in multiple occupation and 'sui generis-HMO'.

On a related point, it is noted that many of the letters of representation received comment that they believe there is no need for more student accommodation in the Treforest area. Whilst this point is taken, it must be noted that it is not the role of the planning system to assess market forces and how strong the demand is likely to be for the intended development. Furthermore, market demand does not form a material planning consideration, which would carry weight in the determination of the current planning application.

Overall, having regard to the above, most notably the recent planning history of the site, it is considered that the principle of residential use as purpose built student accommodation on the site is clearly established as acceptable. However, further consideration will need to be given to the impacts of the revised development, in visual terms, amenity terms and highway safety. These matters are assessed in the following sections of the report.

Character and Appearance

As detailed above the site already benefits from a live planning consent to demolish the Dragon Inn (former Bridge Inn) and adjoining residential property on Saron Street and construct new purpose built student accommodation.

The current application seeks to revisit the design and appearance of the proposed building, without increasing the number of units or bedrooms proposed within the scheme. The Design and Access Statement, which accompanies the submission, comments that the applicant wishes to reflect more traditional features within the design of the revised scheme. It is also commented that the revisions include environmental improvements by way of the introduction of a sedum roof and rain gardens (fronting Saron Street) which would contribute to a more sustainable drainage arrangement for the site.

As with the consented scheme, the current application would result in the development of a prominent building occupying a corner position on the junction of Bridge Street and Saron Street. Similarly, the overall footprint of the proposed building would be comparable to that approved, occupying almost the entire plot. The key changes relate to the appearance of the building, particularly from Bridge Street and Saron Street.

Whilst the current scheme retains the three storey block at the west of the site (adjacent to the railway embankment). The design, layout and appearance of the two storey block fronting Saron Street has been revised. The revised approach is that this structure would now take the form a three-storey block, albeit that the third storey would have the appearance of a roof space. This would be achieved by setting the upper storey of the north and west elevations of the building at an angle to the ground and first floor elevation, in order to give the appearance of a mansard style roof construction. The accommodation created within this 'roof space' would then be served by roof lights in the sloping faces of the north and west elevations. Whilst large dormers were initially proposed, these were subsequently removed with a view to reducing the potential visual mass of the upper floor.

The internal layout of the building has also been amended, in an attempt to better reflect the pattern of development in the area, which is characterised by traditional terraced rows. Whereas the approved scheme details a number of flats all served by one entrance, the current scheme effectively divides the building along a vertical access, effectively creating 5 no. units (each with 5 bedrooms) served by their own 'front door'. Combined with the changes in fenestration, the result is that from Saron Street, the revised design bears some of the characteristics of a modern terrace row. This is heightened further by the proposed materials which illustrate the use of coloured render at ground and first floor and the use of a tiled finish to the roof/third floor on the elevations fronting Saron Street/ Bridge Street.

It is acknowledged that the design changes have resulted in an increase in the size of the building, by way of its height fronting Saron Street. However, having assessed the scheme it is not considered that the increase is so significant as to cause visual harm. The height of the larger three storey block adjacent to the railway embankment remains unchanged. Under the 2018 scheme the two storey block extended to 5.8, the current application sees this increase by 2.2 metres. However, it is considered that the potential increase in mass and bulk of the proposed Saron Street block is partially off set by the design of the upper floor, which would appear as a 'mansard style roof'. Street scene montages which accompany the application also illustrate that whilst the height of the block would extend above the ridge line of dwellings on Saron Street, the increase is limited to approximately 1.6 metres. Furthermore, it is noted that a comparable arrangement exists at the opposing end of the street, whereby Saron Chapel extends above the height of the ridgeline established by the terrace.

Both policy AW7 and *Supplementary Planning Guidance: The Historic Built Environment* set out a range of criteria which must be taken into account when assessing applications for development in conservation areas. The guidance states that proposals in and adjacent to conservation areas should avoid harming the character and appearance of those areas and should, where possible positively enhance them.

In assessing this aspect of the application, it is considered that the existing approval at the site represents a modern and contemporary building that would produce a new "landmark" style building within the street scene. It is also noted that at appeal, the Inspector took the view that the proposal would preserve and/or enhance the character and appearance of the Conservation Area, thereby providing a good indication that the introduction of a modern building would be acceptable at this location.

Whilst the increase in height of the block fronting Saron Street is acknowledged, it is considered that the design of the current scheme represents some benefits over and above the scheme that was allowed at appeal. Most notably, it is commented that the change in height between the two elements of the building (east and west blocks) is less jarring, particularly on the prominent side elevation fronting Bridge Street. It is also considered that the introduction of the mansard style roof has more positive factors, in terms of design quality, than the approved flat roof design. As such, whilst it is acknowledged that the proposal would result in the formation of a prominent building, close to a number of well used routes, it is considered that the revised scheme is acceptable in design terms and would not result in an adverse impact upon either the

setting or appearance of the conservation area. As such, it is considered that the proposal would accord with policy AW5 and AW7 of the Rhondda Cynon Taf Local Development Plan.

Residential amenity

As noted above, the site is located within a predominantly residential area; in this respect consideration must be given to the potential impacts upon the privacy and amenity of existing neighbouring residents.

As noted in the preceding section of the report, the key change between the consented scheme and that currently proposed relates to an increase in the height of the block fronting Saron Street / Bridge Street. In order to assist in the assessment of this aspect, the application is accompanied by a series of 'shading analysis plans'. The plans provide an analysis of shading during Summer and Autumn/ Spring at intervals of 8am, 12pm and 4pm. Given the location of the application site to the east/ north of existing residential dwellings on Saron Street, the period of greatest possible impact would be during the first few hours of daylight. Having reviewed the analysis plans they demonstrate that, despite the increase in the height of the building, no additional impacts by way of overshadowing to the properties to west would result. It is also noted that the revised scheme illustrates a slight set back of the front elevation of the building, which would address Saron Street. Although only marginally, this would increase the separation distance between the development and properties opposite and also allow for the creation of small rain gardens to the elevation on Saron Street, thereby 'softening' the development in the street scene.

In the assessment of this aspect of the development, regard must also be had to the previous application and the fact that; during the appeal process, in their consideration of the potential loss of light and effect on living conditions of nearby properties, the Inspector concluded that the *'impact would be no greater than the current situation'*.

As such, overall, it is not considered that the proposal would result in an undue loss of privacy or amenity to neighbouring occupiers and therefore accords with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

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

Access

In terms of access the proposed development is located at the junction between Bridge Street and Saron Street, Treforest. Bridge Street has a carriageway width of 6.0m, a 1.2m wide footway on its development side and a 1.2m wide footway opposite. The 6.0m wide carriageway incorporates a 2.0m wide parking bay on the development side of Bridge Street limited to 2 hours with no return within 4 hours between 8am – 6pm, additionally, there is an exception to the limited waiting restriction for resident permit

holders. Bridge Street is one-way and exits via Old Park Terrace onto New Park Terrace.

Saron Street has a carriageway width of 4.0m and a 1.2m wide footway on the opposite side to the development. There is no continuous footway on the development side of Saron Street. The 4.0m carriageway incorporates a 2.0m wide parking bay on the opposite side to the development. As with Bridge Street, the parking bay is limited to 2 hours with no return within 4 hours between 8am – 6pm with an exemption for permit holders. Saron Street is a cul-de- sac with no turning facility.Parking

In terms of parking, the proposed development would result in a bespoke student accommodation block comprising of 25 beds in total. In accordance with the Council's adopted Supplementary Planning Guidance: Access, Circulation and Parking Requirements (March 2011), bespoke student accommodation has a requirement of 1 space per 25 beds for servicing, wardens and drop-off areas and 1 space per 10 beds for students and visitors. This equates to a requirement of 4 spaces for the proposed development. It is noted that there are no parking spaces provided to serve the proposed development, resulting in the creation of on-street parking demand to the detriment of highway safety and the free flow of traffic. This gives major cause for concern, particularly when considering the sub-standard nature of the local highway network and its inability to provide sufficient levels of on-street parking.

Notwithstanding the above, in considering the appeal of the 2018 planning application (APP/L6940/A/18/3212533), the Inspector concluded that *“this is a highly sustainable location where a lack of parking can be accepted given the choice of alternative means of transport. It has also been accepted that students tend to have a lower rate of car ownership and indeed this is reflected in the parking standards. The existing use of the site as a public house and the existing planning permission for the conversion of the public house to student accommodation would both generate a higher parking requirement than the appeal proposal.”*

As such, the Inspector concluded that the scale of the parking shortfall, at 3 - 4 spaces would be low. Furthermore, they took the view that the failure to provide these spaces would be outweighed by a combination of the factors that were identified within the inspectorate's report and the acknowledged benefits of the redevelopment of the site.

Therefore, in light of the appeal decision and the fact that this permission may be implemented (until 2024), it is not considered that any concerns on the grounds of highway safety and the free flow of traffic would be sufficiently great as to warrant the refusal of current planning application.

Servicing, Deliveries and Construction

There is general concern with regard to the servicing of and deliveries to the proposed development, due to the sub-standard nature of the local highway network. However, this is an issue which already exists, particularly since the level of trips associated with the servicing of and deliveries to the existing lawful use of the site (as a public house) would be comparable to that of the proposed development. As such, this matter alone does not warrant sufficient highway safety grounds for objection to the application.

In addition to the above, the Council's Transportation Section express some concern in relation to the potential impact of the development during its construction phase, should planning permission be granted. The proposed building almost entirely fills the footprint of the site, as a consequence, no space would be available for a site office and welfare facilities, or the storage of materials and off-street parking for site operatives. The configuration of the local highway network itself would present difficulties with regard to deliveries to the site by Heavy Goods Vehicles. This point is highlighted by the presence informative signage on the approach to Saron Street advising that it is unsuitable for heavy goods vehicles. Nevertheless, they conclude by stating that on balance, these construction impacts could be limited by imposition of a suitably worded planning condition.

Therefore, to conclude, whilst the Council's Transportation Section express some concern with regard to the potential impact of the proposed development upon parking provision and highway safety, it is acknowledged that the site already benefits from planning permission for a comparable scheme, which was allowed at appeal. As the current scheme does not propose any increase in terms of the number of units or bedrooms sought, their observations conclude by raising no objections to the application in highway safety terms. As such, in this regard, the development is considered to be in accordance with the requirements of policy AW5 of the Local Development Plan.

Other Issues:

Ecology

Consultation with the Council's Ecologist has confirmed that given the size of the building and its proximity to the river, it is of a type that may have the potential to support bats. The earlier (2018) application was accompanied by an appropriate ecological survey, which assessed the presence of bats. The current submission is accompanied by an update to this survey. Having assessed the reports, the Council's Ecologist has confirmed that the original emergence survey found no bats using the building. Similarly, the update to the survey reaffirms the findings of the original report. It is noted that the report includes a recommendation that an 'on-call' ecologist arrangement is put in place as a precaution if bats are found during works and that lighting which forms part of the development should be minimised to reduce adverse impacts on commuting and foraging bats. However, these matters could be controlled through the use of suitably worded conditions. As such, with regard to ecological impacts, it is considered that the scheme accords with the requirements of policy AW8 of the Local Development Plan.

Affordable Housing

It is acknowledged that under the provisions of policy SSA12, 20% affordable housing contribution should be sought on schemes which propose 5 or more units of residential accommodation. However Supplementary Planning Guidance: Planning Obligations identifies that a number of exemptions apply for certain types of residential development. One such exemption is the provision of student accommodation. Therefore, as this scheme proposes a purpose built student accommodation block, no affordable housing contribution is applicable in this case.

Community Infrastructure Levy

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

As the development proposes purpose built student accommodation that would be classified as sui generis, the application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. However, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

CONCLUSION

To conclude, the approval, on appeal, of an earlier scheme at the site has clearly established that the principle of a 25 bed purpose built student accommodation building is acceptable. Furthermore, the Inspector concluded that given the highly sustainable location of the site, the scheme was also considered acceptable in highway safety terms. As such, it is considered that the key issue in the assessment of this application relates to the changes proposed to the scale and appearance of the development. Whilst it is acknowledged that the amendments would result in an increase in the height of the part of the building which addresses Saron Street/ Bridge Street, it is considered that changes to the design, which are associated with this, would not be harmful to either the character or setting of the site and conservation area. Similarly, given the layout and topography of the site, it is not considered that the levels of amenity of neighbouring residents would be affected to a greater degree than the approved scheme.

As such, having regard to both the planning history of the site, the Inspectors decision and the comments of consultees, it is considered that the application accords with the requirements of planning policy and is therefore, recommended for approval, subject to the conditions specified 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. A(P)-1 Rev 1 Location Plan
 - Drawing no. A(P)-02 Rev 3 Site Plan
 - Drawing no. A(P)-03 Rev 1 Existing Plans
 - Drawing no. A(P)-04 Rev 1 Existing Elevations
 - Drawing no. A(P)-05 Rev 1 Context
 - Drawing no. A(P)-10 Rev 1 Proposed Ground Floor

- Drawing no. A(P)-11 Rev 1 Proposed First Floor
- Drawing no. A(P)-12 Rev 3 Proposed Second Floor
- Drawing no. A(P)-20 Rev 3 Proposed Elevations N&S
- Drawing no. A(P)-21 Rev 3 Propose Elevations E&W
- Drawing no. A(P)-40 Rev 3 Proposed Views 1
- Drawing no. A(P)-41 Rev 3 Proposed Views 2

and documents received by the Local Planning Authority on 23/08/21, 19/10/21 and 26/10/21 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Prior to the construction of the building hereby approved, details and/or samples of the materials to be used in the construction of the external surfaces of the building shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

4. Construction work shall not begin until a scheme for protecting the future occupiers of the proposed student accommodation block from noise from the adjoining railway line has been submitted to and approved in writing by the local planning authority; all works which form part of the scheme shall be completed before any part of the development is occupied.

Reason: To ensure that railway noise is not a source of nuisance to the future occupants of the residential units in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Development Plan.

5. The development shall be carried out in accordance with recommendations and mitigation measures set out within Sections 8 and 9 of the Ecology Report entitled 'Building Inspection In Respect of Bats: The Former Dragon Inn & 1 Saron Street, Treforest, Pontypridd' undertaken by Celtic Ecology and Conservation Ltd, dated April 2018.

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

6. Each unit of the accommodation hereby permitted shall only be occupied by full-time students attending a registered institute of education.

Reason: In order to define and limit the permission and ensure that the development remains solely for use as student accommodation in

accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. A travel plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any unit of accommodation within the development. The targets and measures contained in the approved plan shall be implemented in accordance with the agreed timetable unless otherwise agreed in writing by the local planning authority.

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

8. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays, 08:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residents in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan

9. Notwithstanding the approved plans and prior to the commencement of development, full engineering design and detail of:

- the proposed footway along the proposed development's common boundary with Saron Street; and
- the removal of the existing cellar doors present on Bridge Street and re-instatement to a typical footway construction;
- shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to beneficial use of the development.

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

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

- a) the means of access into the site for all construction traffic;
- b) the parking of vehicles of site operatives and visitors;
- c) the management of vehicular and pedestrian traffic;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) wheel cleansing facilities;
- g) the sheeting of lorries leaving the site; and
- h) hours for deliveries to the site.

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

Reason: Reason: In the interests of highway safety in accordance with Policy AW5 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
13th JANUARY 2022**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

	Agenda Item No.
APPLICATION NO: 21/1250 - Construction of new garage block containing 3 no. single garages (amended and additional plans received 19/10/2021 and 24/11/2021), Land adjacent to Woodville, Pantygraigwen Road, Pant-Y-Graig-Wen, Pontypridd	

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 reported to the 16th December 2021 Planning and Development Committee meeting with an officer recommendation of approval. A copy of the original report is attached as Appendix A. At the meeting, Members were minded to refuse the application against officer recommendation due to concerns in respect of highway and pedestrian 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 16th December 2021 are acknowledged and are reflective of the representations received during public consultation, in respect of highway safety matters.

During discussion of the application no particular concerns were highlighted in respect of the principle of the development, or in relation to any particular visual or direct neighbour impact, rather that the proposed provision of the new garage

block, accessed directly from Pantygraigwen Road, would be harmful to highway and pedestrian safety.

The original Committee report to Members considered the matter of highway safety and the Council's Highways and Transportation Section raised no objection to the development in this regard, subject to condition.

The observations received from Highway officers noted that the proposal would be served off an adopted highway, Pantygraigwen Road, which has a carriageway width of 7.9m and a dedicated pedestrian footpath to the development side of the road, being 2.1m in width.

There are limited off-street car parking facilities available in the vicinity of the site leading to on-street car parking, narrowing the available width of carriageway to the detriment of safety of all highway users. Highway officers noted the proposal would lessen this detriment.

Whilst it is acknowledged two off-street parking spaces would be lost as a result of the proposal, during the debate it was considered that a suitably worded condition for the three garages to be used solely for the purposes of domestic parking would ensure the net gain of a single space, although it was recognised the enforcement of this condition may prove difficult.

During the debate Members shared their knowledge and experiences of the site, particularly in relation to its proximity to the junction with Graigwen Road, the lack of pedestrianised footways and that Pantygraigwen Road is utilised as a route to school. Members raised concerns that vehicles travelling at speed near this junction, together with the lack of pedestrian footways would result in highway and pedestrian safety in the vicinity of the site being compromised, owing to vehicles possibly reversing over the footway onto Pantygraigwen Road.

It is also acknowledged that the set back of the garage block from the highway may not be considered sufficient in order to mitigate the potential conflicts between vehicles entering and egressing from the garages, and pedestrians and vehicles utilising Pantygraigwen Road

Notwithstanding the above and as referenced in the original Committee report, upon review of accident data, no accidents of sufficient severity were recorded on this section of Pantygraigwen Road at its junction with Graigwen Road for the period 01/01/2016 to 31/12/2020.

Despite this, in light of the debate Members concluded that it could not be satisfactorily demonstrated that the development would not be unacceptably detrimental to highway and pedestrian safety in the vicinity of the site.

5. RECOMMENDATION

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

1. **The proposed garages would result in an increase in the conflicts between highway users due to the proximity of the development site to the junction of Graigwen Road and Pantygraigwen Road, which is lacking in continuous footway provision and suffers from an excess in on-street parking. This would result in an increased risk of hazard to highway and pedestrian safety and the free flow of traffic. As such, the development does not comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's Supplementary Planning Guidance for Access, Circulation and Parking Requirements**
2. **The set back of the garage block from the highway is not considered sufficient in order to mitigate the potential conflicts between vehicles entering and egressing from the garages and pedestrians and vehicles utilising Pantygraigwen Road. As such, the development does not comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's Supplementary Planning Guidance for Access, Circulation and Parking Requirements.**

PLANNING & DEVELOPMENT COMMITTEE

16 DECEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1250/10 (RP)
APPLICANT: Pontypridd Renovations
DEVELOPMENT: Construction of new garage block containing 3 no. single garages (amended and additional plans received 19/10/2021 and 24/11/2021).
LOCATION: LAND ADJACENT TO WOODVILLE,
PANTYGRAIGWEN ROAD, PANT-Y-GRAIG-WEN,
PONTYPRIDD, CF37 2LA
DATE REGISTERED: 14/09/2021
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Approve

REASONS:

The proposed garage block and its associated structures are considered to be acceptable in appearance and their siting would not cause significant detriment to the amenity of neighbouring residents and highway safety.

The development is therefore considered to comply with Policies AW5, AW6 and AW10 of the policies of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

- Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning consent is sought for the construction of a new garage block on land that lies adjacent to Woodville, a semi-detached dwelling located on Pantygraigwen Road, Pontypridd.

The application details that the block would contain 3 no. single garages each with an internal floor area measuring approximately 12.5sqm. The block itself would measure 9.4m in length by 4.9m in depth and would extend to 2.45m in height when viewed from Pantygraigwen Road incorporating a flat roof design.

Of blockwork construction and render finish, each garage would be accessed via a set of metal roller shutter doors from a new apron and vehicular crossover from Pantygraigwen Road.

To facilitate the construction of the garage block, it is proposed to build up the level of the ground to meet with existing levels found at Pantygraigwen Road via the development of a reinforced masonry retaining wall that would measure approximately 11.7m in length and would extend to a maximum of 3.45m in height.

SITE APPRAISAL

The application site relates to a grassed embankment that is triangular in plan and which fronts Pantygraigwen Road, Pontypridd.

The land is bound on its south-eastern side by the residential dwelling 'Woodville' and tapers to the north-west where it meets the entrance to an access lane that serves those properties found at Heath Crescent and Graigwen Road.

The topography of the area falls from north to south and as such the site is set at two separate terraced levels. The northern section is located at the same level as Pantygraigwen Road with the southern section being located at a lower level where it abuts the aforementioned access lane.

PLANNING HISTORY

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

PUBLICITY

The application has been advertised by direct notification to neighbouring properties and the erection of site notices. Three letters of objection have been received from neighbouring residents following this exercise, the comments of which are summarised below:

- There is already a lack of on-street parking on Pantygraigwen Road for existing residents. The development of the garages will automatically decrease the available parking for residents of the area, where garage access will need to be kept clear.
- My concerns are not so much against the building of the garages but on the parking problems this will cause.
- My concerns relate to the proposed entrance doors to this garage block being sited on Pantygraigwen Road and the obvious impact this will have on an already exceptionally busy junction that can easily be described as hazardous. I have witnessed numerous crashes at this junction including having had vehicles collide into the side of my property, causing damage whilst attempting to turn left out of Pantygraigwen Road to ascend Graigwen Road. Turning right out of Pantygraigwen Road is also hazardous due to the lack of visibility of oncoming traffic on Graigwen Road. This junction is made all the more

dangerous as a result of pedestrians needing to cross the junction to walk up or down Graigwen Road due to there being insufficient pavement on one side of the road. With the proposed garage block being in such close proximity to the junction, I believe that having the garage doors opening onto Pantygraiwen Road is an obvious road safety hazard.

CONSULTATION

Highways and Transportation: No objection subject to condition.

Public Health and Protection: No objection.

RCT CBC Structural Engineer: No objection subject to condition.

Welsh Water: No objection.

Countryside, Landscape and Ecology: No objection.

Flood Risk Management: No objection subject to condition.

No other consultation responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

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

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

Policy SSA13 – Development within Settlement Boundaries

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking

National Guidance

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

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

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

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 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

This application seeks full planning permission for the construction of a new garage block and associated works on a vacant plot of land that is located on Pantygraigwen Road, Pontypridd.

As the site is located within the settlement boundary the principal of the proposed development is acceptable. However, this would be subject to the assessment of a number of site-specific criteria identified below.

Impact on the character and appearance of the area

It is not considered the finished structure would result in an overly prominent addition to the street scene, or an impact significant enough to warrant refusal of the application.

Whilst it is acknowledged that the proposed garage block would form a visible feature along Graigwen Road, Pantygraiwen Road and Heath Crescent, the proposal is considered to be of an acceptable domestic scale and would be of a comparable design to other domestic garage blocks located in the wider area and throughout the County Borough. Furthermore, the development would be finished in appropriate external materials that would match that of many other buildings in the locality.

Due to the topography of the site, the proposal would involve the construction of retaining walls to enable the existing embankment to be built-up, and it is acknowledged these have the potential to become prominent features when viewed from the rear access lane and when approaching the site on Pantygraiwen Road from the west.

However, it is considered the retaining walls would be read as a continuation of the existing build development and rear boundary treatments that bound Heath Crescent and would not exceed their built form in a significant way. Furthermore, the choice of finishing material for the roof would ensure the block would be quite low in height, which would help to reduce the overall massing of the development.

Consequently, it is not considered that the scale and appearance of the proposed garage block and its associated structures would result in significant material harm to the character of the area.

Impact on residential amenity and privacy

Any impact upon residential amenity would be greatest upon nos. 25-27 Heath Crescent given the proximity of their respective rear elevations and gardens to the application site.

However, when considering the proposal in relation to the scale, siting and elevated nature of the pair of semi-detached bungalows 'Woodville' and 'Waldrast' and their proximity to existing dwellings at Heath Crescent, it is not considered that any adverse impacts that would be presented as a result of the development would be significantly different to those that already exist in the vicinity of the site.

Consequently, it is not considered that the size, scale and position of the garage block and retaining walls, when compared with the arrangement of surrounding development, would physically detract from the amenities of neighbouring occupiers in terms of outlook and overbearing impacts; neither would significant shading of their rear gardens take place, noting that the application site is positioned to the north of these properties and as non-habitable structures, would not affect residential privacy.

Notwithstanding the above, to ensure that the garages would not be used for commercial uses or non-domestic storage and generate additional high number of

vehicle movements or activities that might disturb residents, a condition is recommended restricting their use to that of a domestic nature only.

Therefore, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Highway safety

The Council's Transportation Section have been notified of the proposals in order to provide comments on the suitability of the scheme with regard to highway safety and have made the following comments in relation to access and parking.

Access

The proposal would be served off an adopted highway, Pantygraigwen Road, which has a carriageway width of 7.9m and a dedicated pedestrian footpath to the development side of the road, being 2.1m in width.

There are limited off-street car parking facilities available in the vicinity of the site leading to on-street car parking, narrowing the available width of carriageway to the detriment of safety of all highway users. The proposal would lessen this detriment.

It is anticipated that the proposed garages would be used for domestic purposes, which can be secured via a suitably worded planning condition. As such, the proposal is considered acceptable in terms of access.

Parking

In accordance with the Council's adopted SPG, 1-2 bedroom dwellings have a requirement of 2 spaces each and 3+ bedroom dwellings have a requirement of 3 spaces each in this parking zone.

The submitted information indicates that the applicant is also in ownership of Woodville Bungalow. It is expected that the proposed garages would be used for residential parking purposes.

The submitted information does not advise the size of the dwelling within the applicant's ownership. As such, the proposal's SPG off-street parking requirement cannot be determined, but is estimated as three off-street parking spaces.

As three spaces would be provided however, no objections are raised with regard to the parking provision provided.

In light of the above, the proposal is considered to be acceptable in terms of the impact of the proposal on highway safety and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues:

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

Drainage

The proposal has been assessed by the Council's Flood Risk Management team and their response does not raise any significant concerns. However, a condition is recommended to ensure the development in compliant with Section 8.3 of Technical Advice Note 15.

Issues raised by objectors

The comments raised by the neighbouring residents are appreciated and duly noted.

However, whilst the concerns made in relation to the impact of the proposal on highway safety and parking issues at and in the vicinity of the site are acknowledged, no objection to the scheme has been raised by the Council's Highways and Transportation Section, subject to condition.

It is noted that concerns have been raised regarding the dangers posed at this junction for vehicles and pedestrians. Upon review of accident data, no accidents at this junction/area were recorded for the period 01/01/2016 to 31/12/2020. That is not to say that there were no accidents, it is just that they would not have been of a severity whereby the appropriate services were called, and this data recorded.

Furthermore, it is also noted that although two, off-street car parking spaces are to be lost as a result of the proposal, the garages would result in the net gain of a single space.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties and highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5, AW6 and AW10).

RECOMMENDATION: Grant subject to the conditions below.

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

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

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

- Drawing no. MCS21/115/01 001 Revision D

and documents received by the Local Planning Authority on 09th September 2021 and 24th November 2021 (as amended), 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. No development shall commence until the applicant evidences how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

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

4. Notwithstanding the submitted plans, development shall not commence until details of the garage apron and tie-in detail with the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site to the satisfaction of the local Planning Authority prior to beneficial use of the development.

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

5. The use of the garages hereby approved shall be solely for the parking of motor vehicles and/or domestic storage, and for no other purposes commercial or otherwise.

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

6. Prior to the commencement of the development, a structural report relating to the construction and stability of the proposed retaining walls shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of highway and pedestrian safety, 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
13th JANUARY 2022**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

	Agenda Item No.
APPLICATION NO: 21/1267 - Conversion of property to 8 studio flats, including a two-storey rear extension, internal alterations and off-street car parking to rear (amended plans rec. 18/10/21 and amended description 18/10/21), Gwynfa House, Main Road, Church Village, Pontypridd	

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 reported to 16th December 2021 Planning and Development Committee meeting with an officer recommendation of approval. A copy of the original report is attached as Appendix A. At the meeting, Members were minded to refuse the application against officer recommendation. Members considered that the proposed development to convert the property to 8 no. self-contained studio flats would result in overdevelopment of the property in that it would provide poor-quality accommodation for future residents. 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 officer considerations regarding the principle of the development are outlined in the original report however, a brief summary is provided below:

It is noted that the floor area for each flat is on the small side, with floor areas between 19.57 sqm and 32.40 sqm however, the dimensions are greater than the requirement set out in the Council's guidance document – 'A Landlords

Guide to Standards in HMOs'. Whilst the document specifically relates to HMOs, Appendix 3 of the document provides minimum sizes for units of accommodation with some shared basic facilities, such as bedsits. It states that a unit for a single person with 1 room only, which includes kitchen facilities, is 13 sqm. In the case of this application, each flat would incorporate kitchen facilities with a communal laundry room at ground floor and would therefore comply with the minimum requirements.

Furthermore, each studio flat would be served by a window which would ensure that a reasonable level of natural daylight and ventilation could be achieved whilst also providing a reasonable outlook. All 8 flats would be accessed via pedestrian access door to the front whilst 3 of the flats would also have a secondary access either to the front or the back of the property. There is also a small area proposed at the rear for use as a communal garden as well as one off-street car parking for each flat, which has not raised any objection from the Council's Highways and Transportation team.

The property is located within the defined settlement boundary and within an established built-up area which is characterised by both residential and commercial properties. Whilst the site is located inside the defined retail area for Church Village, the principle of converting the property to residential has already been established in the granting of planning consent ref. 21/1005. It is also considered that the residential use of the site would provide some support to existing businesses in the locality.

5. RECOMMENDATION

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

- 1. The proposal would constitute overdevelopment of the site in that it would provide poor-quality living accommodation for future residents. It would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.**

PLANNING & DEVELOPMENT COMMITTEE

16 DECEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1267/10 (KL)
APPLICANT: Mr N Tuchli
DEVELOPMENT: Conversion of property to 8 studio flats, including a two-storey rear extension, internal alterations and off-street car parking to rear (amended plans rec. 18/10/21 and amended description 18/10/21).
LOCATION: GWYNFA HOUSE, MAIN ROAD, CHURCH VILLAGE, PONTYPRIDD, CF38 1RN
DATE REGISTERED: 18/10/2021
ELECTORAL DIVISION: Church Village

RECOMMENDATION: Approve, subject to S106 and conditions

REASONS: The conversion of the application property to 8 no. studio flats is considered to be acceptable in principle. The site is situated on the fringe of a Local and Neighbourhood Centre however all reasonable attempts have been made to let the premises for retail use without success. Furthermore, planning permission has recently been granted for the conversion of the property to a single dwelling.

Whilst the loss of the commercial unit would run counter to the general thrust of the retail strategy of the LDP and National Policy, it is considered the additional supporting information that has been submitted with the application overcome the previous concerns shown.

Consequently, when considered as a whole, the policies contained within the LDP supports the loss of this facility from the retail centre, as its replacement with residential accommodation, together with its extensions and alterations, would make an effective and acceptable use of the building, whilst its location and its proximity to other dwellings would mean the proposal would not conflict with the surrounding land use. Furthermore, the proposal would reinstate the original use of the building whilst ensuring it does not fall into a state of disrepair.

As such, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan and it is therefore recommended for approval, subject to conditions.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the conversion of Gwynfa House, Main Road, Church Village from offices to 8 studio flats. The proposal includes the construction of a two-storey extension and the provision of off-street-car parking at the rear of the property.

The proposal would provide 8 no. self-contained studio flats with 4 at ground floor and 4 at first floor. Four of the flats would be contained within the proposed two storey extension at the rear of the building. Each flat would have a single room incorporating a living/sleeping and kitchen area with a separate shower room/WC. The proposed floor area of each flat is as follows:

- Flat 1: 32.55 sqm
- Flat 2: 22.75 sqm
- Flat 3: 29.55 sqm
- Flat 4: 29.35 sqm
- Flat 5: 19.57 sqm
- Flat 6: 22.89 sqm
- Flat 7: 29.72 sqm
- Flat 8: 32.40 sqm

The flats would all be accessed via a main entrance door to the front of the property however, the two ground floor flats at the rear (flats 3 & 4) would benefit from a secondary rear access. Flat 1, which would be situated within the existing single storey front projection, would also benefit from a secondary access.

The proposed two-storey rear extension would extend across the full width of the existing property, measuring 9.7 metres in width by 7.5 metres in depth. It would incorporate a hipped roof design that would measure 7.9 metres in height to the ridge and 5.8 metres to the eaves. External materials would consist of render, concrete roof tiles and upvc windows and doors (graphite).

The area at the rear of the property would be utilised as a parking area for the residents with 8 off-street car parking spaces being provided. The existing access alongside the south-west facing side elevation would be retained.

A communal laundry room would be provided at ground floor as well as a small communal garden at the rear of the property.

SITE APPRAISAL

The application site relates to an existing detached property, known as Gwynfa House, which is located on the main road through the village of Church Village. The property currently appears to be vacant however, it is understood that it was most recently used as offices.

The property is set within a rectangular shaped plot with the north-west facing front elevation being set back from the highway by a small outdoor area. A yard and off-street car parking area is situated to the rear of the building with access to this area running along the south-west facing side elevation.

The property is of a two-storey scale with a traditional design featuring a single storey extension to the front elevation. It has a rendered finish with a tiled roof and upvc windows and doors.

The surrounding area is characterised by both commercial and residential properties. Properties either side of the site are both commercial whilst those opposite and to the rear of the site are residential.

PLANNING HISTORY

The following applications are on record for this site:

21/1005	Gwynfa House, Main Road, Church Village	Change of use from B1 (office) to C3 (dwelling), construction of two storey extension and detached garage (resubmission)	Granted 31/08/21
21/0516	Gwynfa House, Main Road, Church Village	Change of use from B1 (office) to C3 (dwelling), construction of two storey extension and detached garage	Refused 04/06/21

PUBLICITY

The application has been advertised by means of direct neighbour notification as well as through the erection of site notices in the vicinity of the site. No representations have been received from local residents in response to this exercise.

The application was advertised for a second time following the submission of amended plans to overcome some concerns raised in relation to the initial plans submitted. The amendments included the reduction in the number of flats from 9 to 8 and an increase in the number of off-street car parking spaces from 6 to 8. No representations were received from local residents in relation to the second exercise.

CONSULTATION

Countryside, Ecology and Landscape: No objection or survey requested.

Flood Risk Management: No objection or condition recommended.

Highways and Transportation: No objection, subject to condition relating to the parking spaces being implemented prior to beneficial occupation.

Public Health and Protection: No objection. Comments received in relation to hours of operation, noise, dust, waste and lighting.

Welsh Water: No objection, subject to condition and advisory notes.

No other responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located inside the defined settlement boundary and in the defined Local and Neighbourhood Centre for Church Village. The following policies are considered to be relevant in the determination of this application:

Policy CS2 – Development in the South: sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW1 – Supply of New Housing: states that the supply of new housing will be met by the conversion of suitable structures to provide housing.

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

Policy AW4 – Community Infrastructure & Planning Obligations: details the criteria for planning obligations, including Community Infrastructure Levy (CIL).

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

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

Policy AW10 – Environmental Protection and Public Health: development proposals must overcome any harm to public health, the environment or local amenity.

Policy AW11 – Existing Employment and Retail Uses: development proposals promoting alternative uses for employment units will be permitted where the site is not identified by the allocating policies and the retention of employment sites have been fully explored without success by way of marketing for appropriate employment purposes at a reason market rate for a minimum of 12 months.

Policy SSA11 – Housing Density: requires a minimum of 35 dwellings per hectare.

Policy SSA12 – Affordable Housing: requires the provision of 20% affordable housing on sites of 5 or more units.

Policy SSA13- Housing Development within Settlement Boundaries: permitted development within the defined settlement boundary where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

Policy SSA16 – The Retail Hierarchy: sets out the retail hierarchy in the Southern Strategy Area and defines Church Village as a Local and Neighbourhood Centre.

Supplementary Planning Guidance

Design and Placemaking

Affordable Housing

Planning Obligations

Access Circulation and Parking

Development of Flats

Licensing of Houses in Multiple Occupation – A Landlords Guide to Standards in HMOs (2019)

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.

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

Other relevant policy guidance consulted:

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application seeks to convert the property from offices to 8 self-contained studio flats. The proposal includes a two-storey extension at the rear of the property.

The site is located within the defined settlement boundary and is within the defined Local and Neighbourhood Centre of Church Village, as set out in Policy SSA16 of the Rhondda Cynon Taf Local Development Plan. Due to its location, the site has good access to a number of key local services and facilities and is accessible by sustainable transport options. The site is also conducive to travel on foot and bicycle. Whilst the development would consist of highly vulnerable development, the site is not situated within Zone C2 floodplain. The site is therefore considered to be situated within a highly sustainable location, as defined by Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

Whilst the site is situated within the defined Local and Neighbourhood Centre for Church Village where the retention of retail/commercial uses should prevail, the proposal to convert the property for residential purposes is considered to be acceptable. The property is situated on the fringe of the retail centre and is understood to have been vacant for over a year. The applicant has provided evidence which demonstrates that the property had been marketed by professional agents since March 2020, prior to the applicant purchasing it in March 2021. It is therefore considered that the application complies with Policy AW11.

The COVID -19 pandemic has also had a major impact upon the economy and retail activity with a significant increase in online shopping. Whilst it is likely that there would be an economic recovery, the prospect of this property being occupied by an A1, A2 or A3 use is unlikely, given the scale of the property. It is also considered unlikely that the property would be reutilised as an office space. As such, there is a great possibility that the site could remain vacant for quite some time and it is considered that the conversion of the building to 8 residential units would provide some support to existing businesses within the retail centre. Whilst the loss of a commercial unit in the Local and Neighbourhood Centre is regrettable, when weighed against the evidence provided by the applicant and the possibility of the property remaining vacant for a long period of time and subsequently falling into a poor state of repair, the proposal is considered to be acceptable.

Furthermore, a planning application for the conversion of the property to a single residential dwelling (planning ref. 21/1005) has recently been approved and so the principle of using the site for residential purposes has already been established. The previously approved application included an extension of a similar scale to that currently proposed.

Policy SSA11 seeks to ensure that residential development has a minimum of 35 dwellings per hectare. The proposal would provide a density of 100 dwellings per hectare (on the basis of 8 units on a parcel of land measuring 0.07 hectares) and the application would therefore comply with this policy.

Policy SSA12 seeks a provision of 20% affordable housing on sites of 5 units or more. The Council's Housing Strategy team have reviewed the application and advise that a financial contribution for the provision of affordable housing off-site rather than on site social housing provision would be appropriate in this case.

In light of the above, the principle of converting the property to 8 self-contained residential flats is considered to be acceptable, subject to consideration of the criteria set out in the subsequent sections below.

Impact on the character and appearance of the area

The front of the property would remain largely unaltered with the only visible alterations being the reduction in size of the window in the existing single storey projection and the construction of a 1.5 metre high wall and gate to enclose the front garden area. Neither of these alterations would have a significant impact upon the character and appearance of the property or the wider street scene.

The proposed two-storey extension at the rear would form a sizeable addition to the property however it is not considered that it would be unacceptable when considering the scale of the existing building and the fact that it would not be visible from the street scene. The extensions would be in-keeping with the scale and design of the application property and materials of render, concrete roof tiles and upvc windows and doors would ensure that it would not appear to be visually prominent within the wider area. Furthermore, there are extensions of a similar scale and design at the rear of other properties along this row.

As such, it is considered that the proposal would have a positive impact upon the character and appearance of the application property and the wider area and the application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taff Local Development Plan.

Impact on residential amenity and privacy

Existing Residents

As indicated previously in this report, the proposed two storey extension is of a similar scale and design to that previously approved under planning application ref. 21/1005. The only visible difference is that the extension currently proposed extends to the full depth of 7.5 metres at both ground and first floor, whereas the extension previously approved was set back at first floor on one side to provide for a balcony from the master bedroom. The difference between that currently proposed and that previously approved in terms of impact would be minimal with the first floor projecting 2 metres beyond that previously approved. Furthermore, given the off-set relationship between the application property and the neighbouring property to the west, the extension would be unlikely to give rise to any significant overbearing or overshadowing impact.

In terms of overlooking, the fenestration detailing of the extension has been changed in comparison to the extension previously approved. The extension would now incorporate standard casement windows rather than large bi-fold doors that would open onto a garden/balcony. This would reduce the level of actual and perceived level of overlooking from the extension towards properties at the rear of the site. Furthermore, the distances between the extension and the rear elevations of the nearest residential property (no. 17 Brookdale Court) would be approximately 31 metres with any views between habitable windows being oblique rather than direct. There may be views towards the rear garden of no. 17 however the distances between the extension and the boundary would be approximately 20m and is considered to be acceptable.

There is some concern that the proposal could result in some degree of noise and disturbance as a result of the comings and goings of future residents of the flats however, given that the site is located in a retail area with commercial properties either side of the property, it is considered that existing residents in the area (i.e. residential properties opposite the site) would already be accustomed to some degree of noise and disturbance from the mixed character of the area.

Future Occupiers of the Flats

In terms of the amenity and privacy of potential future occupiers of the proposed development, the Council's SPG: Development of Flats states that new flats should provide an acceptable quality of accommodation for residents. It states that flats should be of a suitable size and habitable rooms should have a reasonable outlook and level of natural daylighting and ventilations. They should also have a main entrance to the front of the building and have access to either private or communal outdoor space.

Whilst the floor areas for each studio flat, which vary between 19.57 sqm and 32.40 sqm, are considered to be on the small side, these dimensions are greater than the requirement set out in the Council's guidance document – 'A Landlords Guide to Standards in HMOs'. Whilst the document specifically relates to HMOs, Appendix 3 of the document provides minimum sizes for units of accommodation with some shared basic facilities, such as bedsits. It states that a unit for a single person with 1 room only, which includes kitchen facilities, is 13 sqm. In the case of this application, each flat would incorporate kitchen facilities with a communal laundry room at ground floor and would therefore comply with the minimum requirements.

Furthermore, each studio flat would be served by a window which would ensure that a reasonable level of natural daylight and ventilation could be achieved whilst also providing a reasonable outlook. All 8 flats would be accessed via pedestrian access door to the front whilst 3 of the flats would also have a secondary access either to the front or the back of the property. There is also a small area proposed at the rear for use as a communal garden and whilst the area is not considered to be particularly spacious or inviting (given that it would be located adjacent to the 8 off-street car parking spaces), the size of the space provided would not warrant the refusal of the application, particularly given that there are a number of public amenity spaces in the wider area.

Consequently, it is not considered that the proposal would have an adverse impact upon the amenity and privacy of existing neighbouring properties or upon the health and well-being of future occupiers. The application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance: Development of Flats.

Access and highway safety

The proposal has been assessed by the Council's Highways and Transportation section and no objection has been raised. The comments received indicate that the application site is served via an existing dropped kerb off Main Road which is proposed to remain unchanged and is considered to be acceptable. It is also noted that the site is situated within Parking Zone 3 and that the proposal for 8 studio flats would require two off-street car parking spaces per flat (total no. required: 16). The proposal would provide 8 off-street car parking spaces which would lead to a shortfall of 8 spaces. However, given that car ownership rates for residents of flats is considered to be lower and that the proposed development is situated in a sustainable location with both bus and rail stops being within reasonable distance, the shortfall in spaces is considered to be acceptable in this regard.

In light of the comments received from the Council's Highways and Transportation section, it is not considered that the proposal would have an adverse impact upon highway safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues:

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

Drainage

The Council's Flood Risk Management team have not raised any objection to the proposal or recommended any condition in relation to land drainage. The response received indicates that the development would encompass works that would have drainage implications over 100 sqm and it is therefore considered that the developments surface water risk will be adequately managed by both Schedule 3 of the Flood and Water Management Act 2010 and by Building Regulations.

The application is therefore considered to be acceptable and in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

Ecology

The proposal would not result in any works to the roof or roof space and the Council's Ecologist has not requested any bat or ecological surveys.

Community Infrastructure Levy (CIL) Liability

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

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

The CIL (including indexation) for this development is expected to be £30,469.83

Section 106 Contributions / Planning Obligations

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

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

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

The Welsh Government Development Management Manual and Welsh Office Circular 13/97 Planning Obligations provide procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and when it meets the three tests above. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

Policy SSA12 of the Rhondda Cynon Taf Local Development Plan seeks a provision of 20% affordable housing on sites of 5 units or more. The Council's Housing Strategy team have reviewed the application and advised that a contribution to the provision of affordable housing off-site rather than on site social housing provision would be appropriate in this case.

Conclusion

The principle of converting the property to a residential use is considered to be acceptable. It is not considered that the works to facilitate the proposed 8 no. studio flats would have an adverse impact upon the character and appearance of the site or surrounding area, nor would they or the proposed use adversely impact upon the amenity and privacy of neighbouring occupiers. The proposal would provide 8 off-street car parking spaces at the rear of the property and whilst this would create a shortfall in parking, no objection has been raised by the Council's Highways and Transportation section in terms of the potential impact of the proposal upon highway safety in the vicinity of the site. The proposal is therefore considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan and it is recommended that the application is approved, subject to conditions and a Section 106 Agreement for a contribution to the provision of off-site affordable housing.

RECOMMENDATION: Approve, subject to condition and S106 Agreement

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 18th October 2021, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. NT003 Rev B. Proposed Elevation Plans;
- Drawing No. NT004 Rev B: Proposed Elevation Plans;
- Drawing No. NT005 Rev C. Site Plan, Proposed Front Wall Plan and Proposed Block Plan;

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

3. The 8 parking spaces shown on the submitted plan (NT 005 C) shall be implemented to the satisfaction of the Local planning Authority prior to beneficial occupation. The parking spaces shall be retained in perpetuity in connection with the flats unless otherwise agreed in writing by the Local Planning Authority.

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

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PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN

UNDER DELEGATED POWERS

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

1. PURPOSE OF THE REPORT

To inform Members of the following, for the period 06/12/2021 – 31/12/2021

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

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

**INFORMATION FOR MEMBERS,
PERTAINING TO ACTION TAKEN
UNDER DELEGATED POWERS**

OFFICER TO CONTACT

**Mr. J. Bailey
(Tel: 01443 281132)**

See Relevant Application File

APPEALS RECEIVED

APPLICATION NO: 15/0666
APPEAL REF: A/20/3265358
APPLICANT: Hanson UK
DEVELOPMENT: Western extension to existing quarry to include the phased extraction of an additional 10 million tonnes of pennant sandstone, construction of screening bunds, associated works and operations, and consolidation of all previous mineral planning permissions at Craig Yr Hesk Quarry, including an extension of the end date for quarrying and an overall restoration scheme (additional information submitted "Wellbeing and Environmental Health Issues" report)
LOCATION: CRAIG YR HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG
APPEAL RECEIVED: 16/12/2020
APPEAL START DATE: 15/12/2021

APPLICATION NO: 21/0720
APPEAL REF: A/21/3282880
APPLICANT: Hanson UK
DEVELOPMENT: Continuation of quarrying and related operations without complying with conditions 1-4 inclusive and conditions 45 & 46 imposed on the Environment Act ROMP schedule of conditions issued by Rhondda Cynon Taf County Borough Council on 24th April 2013 ref:08/1380/10
LOCATION: CRAIG YR HESG QUARRY, BERW ROAD, PONTYPRIDD, CF37 3BG
APPEAL RECEIVED: 14/09/2021
APPEAL START DATE: 15/12/2021

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Report for Development Control Planning Committee

Hirwaun

21/1395/01 Decision Date: 10/12/2021

Proposal: Shop signage.

Location: CO OPERATIVE FOOD, 62A TRAMWAY, HIRWAUN, ABERDARE, CF44 9PA

Aberdare West/Llwydcoed

21/1393/10 Decision Date: 06/12/2021

Proposal: Garden to be separated into 3 tiers, using retaining walls.

Location: 19 THE OAKS, CWMDARE, ABERDARE, CF44 8BZ

21/1425/10 Decision Date: 17/12/2021

Proposal: Construction of 4 detached residential dwellings

Location: LAND ADJ TO HAZELMERE, LLWYDCOED ROAD, LLWYDCOED, ABERDARE, CF44 0TW

21/1472/10 Decision Date: 16/12/2021

Proposal: Two storey extension.

Location: DYLLAS FARM, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0LJ

21/1473/10 Decision Date: 16/12/2021

Proposal: Granny annexe.

Location: DYLLAS FARM, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0LJ

Aberdare East

21/0994/10 Decision Date: 17/12/2021

Proposal: Change of use of former RAFA club into a single dwelling.

Location: RAFA CLUB, 2 SPRING HILL VILLAS, WIND STREET, ABERDARE, CF44 7EP

21/1458/10 Decision Date: 10/12/2021

Proposal: Proposed new hardwood shop front and new doorway.

Location: 25 CANON STREET, ABERDARE, CF44 7AP

21/1518/08 Decision Date: 17/12/2021

Proposal: Full refurbishment of property to include revised shop front design and layout to provide a single commercial unit / retail space. Change of use of existing first floor residential flat to accommodate office accommodation /

Location: DARE VALLEY CYCLES, 31-32 CANON STREET, ABERDARE, CF44 7AP

Report for Development Control Planning Committee

Cwmbach

21/1391/10 Decision Date: 07/12/2021
Proposal: Single storey rear extension with hipped roof tied into existing hipped roof construction and attic conversion.
Location: 33 CONISTON RISE, CWM-BACH, ABERDARE, CF44 0HN

Mountain Ash West

21/1418/10 Decision Date: 15/12/2021
Proposal: First floor rear extension. (Amended plans received 06/12/2021)
Location: 31 CADWALADR STREET, MOUNTAIN ASH, CF45 3RD

Penrhiwceiber

21/1469/10 Decision Date: 21/12/2021
Proposal: Demolish existing single storey annexe and outbuilding, replace with two storey extension and porch to rear.
Location: 2 PERTHGELYN COTTAGES, ROAD TO PENTWYN UCHAF FARM, PERTHCELYN, MOUNTAIN ASH, CF45 3YJ

21/1476/10 Decision Date: 21/12/2021
Proposal: Demolish lean-to annexe and various outbuildings to rear and construct replacement two storey hipped roof extension with single storey flat roof extensions to side and rear of two storey proposal.
Location: 1 PERTHGELYN COTTAGES, ROAD TO PENTWYN UCHAF FARM, PERTHCELYN, MOUNTAIN ASH, CF45 3YJ

Pentre

21/1313/10 Decision Date: 16/12/2021
Proposal: New access door with roller shutter and internal modifications.
Location: THE QUEENS HOTEL PUBLIC HOUSE, 102 LLEWELLYN STREET, PENTRE, CF41 7BU

21/1325/10 Decision Date: 17/12/2021
Proposal: The retention of an automated teller machine.
Location: CAFE, 25 GELLI ROAD, TONPENTRE, PENTRE, CF41 7LR

21/1326/01 Decision Date: 17/12/2021
Proposal: The retention of automated teller machine signage.
Location: CAFE, 25 GELLI ROAD, TONPENTRE, PENTRE, CF41 7LR

Report for Development Control Planning Committee

Ystrad

21/1447/23 Decision Date: 23/12/2021
Proposal: Alterations to bridge parapet - Prior Approval.
Location: RHONDDA SPORTS CENTRE FOOTBRIDGE

Llwynypia

21/1457/10 Decision Date: 20/12/2021
Proposal: Removal of shipping containers and erection of battery of garages.
Location: CMB CAR SALES, LLWYNYPIA ROAD, LLWYNYPIA, TONYPANDY, CF40 2EL

Cwm Clydach

21/1372/10 Decision Date: 07/12/2021
Proposal: Ground floor rear extension and loft conversion.
Location: 12 JONES STREET, CLYDACH, TONYPANDY, CF40 2BZ

21/1376/10 Decision Date: 10/12/2021
Proposal: Enclosure of land for garden use (Retrospective).
Location: 76 WERN STREET, CLYDACH, TONYPANDY, CF40 2DJ

Tonypandy

21/0358/19 Decision Date: 06/12/2021
Proposal: Fell trees T5 (Norway Maple) T6, T7 & T8 (Sycamores) protected by Tree Preservation Order (148) (Re-submission of 21/0011/19).
Location: LAND ADJACENT 6 PARK PLACE, TONYPANDY, CF40 1BA

Trealaw

21/1368/08 Decision Date: 17/12/2021
Proposal: Alteration to front garden area for lift.
Location: 194 RHYS STREET, TREALAW, TONYPANDY, CF40 2QD

Report for Development Control Planning Committee

Penygraig

21/1373/10 Decision Date: 10/12/2021

Proposal: Single storey rear extension.

Location: JADE FLOWER, 69 BROOK STREET, WILLIAMSTOWN, TONYPANDY, CF40 1RE

21/1405/10 Decision Date: 14/12/2021

Proposal: Single storey rear extension.

Location: HOLMDENE, VICARAGE ROAD, PEN-Y-GRAIG, TONYPANDY, CF40 1HP

21/1468/01 Decision Date: 17/12/2021

Proposal: Signage for an ATM.

Location: PENYGRAIG CONVENIENCE STORE, 104 PENYGRAIG ROAD, PEN-Y-GRAIG, TONYPANDY, CF40 1HB

21/1471/10 Decision Date: 17/12/2021

Proposal: Installation of an ATM machine.

Location: PENYGRAIG CONVENIENCE STORE, 104 PENYGRAIG ROAD, PEN-Y-GRAIG, TONYPANDY, CF40 1HB

Porth

21/1349/10 Decision Date: 09/12/2021

Proposal: Elevated decking (Retrospective).

Location: 19 PACKERS ROAD, PORTH, CF39 0LW

21/1407/10 Decision Date: 17/12/2021

Proposal: Side extension, extended garage and first floor rear extension.

Location: 24 CEMETERY ROAD, PORTH, CF39 0BH

21/1448/23 Decision Date: 23/12/2021

Proposal: Alterations to bridge parapet - Prior Approval.

Location: PORTH STATION FOOTBRIDGE

Tylorstown

21/1091/10 Decision Date: 23/12/2021

Proposal: Construction of a four bed detached dwelling.(Amended Redline Boundary received 02/11/21)

Location: TYLORSTOWN RUGBY CLUB, PENRHYS ROAD, TYLORSTOWN, FERNDALE, CF43 3PN

Report for Development Control Planning Committee

Ferndale

21/1053/10 Decision Date: 15/12/2021
Proposal: External (material) alterations to a commercial property.

Location: ARTS FACTORY, THE STRAND, FERNDALE, CF43 4LY

21/1054/12 Decision Date: 16/12/2021
Proposal: Replacement of windows (Application for Listed Building Consent)

Location: ARTS FACTORY, THE STRAND, FERNDALE, CF43 4LY

Town (Pontypridd)

21/1397/10 Decision Date: 07/12/2021
Proposal: Front and rear dormer extensions (amended plans received 25/11/2021)

Location: 45 WHITEROCK DRIVE, GRAIG-WEN, PONTYPRIDD, CF37 2HA

Rhondda

21/1419/10 Decision Date: 08/12/2021
Proposal: Dormer loft extension to front and rear elevations and internal alterations.

Location: TAN Y COED, LLANDRAW WOODS, MAESYCOED, PONTYPRIDD, CF37 1EX

Treforest

21/1194/12 Decision Date: 17/12/2021
Proposal: Roof amendments. Includes repair of existing roof, installation of roof lights and removal and reconstruction of existing chimneys (application for Listed Building Consent).

Location: 29 GRAIG-YR-HELFA ROAD, PONTYPRIDD, CF37 4AR

Hawthorn

21/1401/10 Decision Date: 09/12/2021
Proposal: Remove existing rear extension. Replacement two-storey extension plus loft conversion.

Location: 1 LON HEULOG, RHYDYFELIN, PONTYPRIDD, CF37 5LW

21/1597/50 Decision Date: 09/12/2021
Proposal: Change of use from A2 (bank) to (A3) food outlet.

Location: FORMER BARCLAYS BANK, UNIT D11-5, TREForest INDUSTRIAL ESTATE, PONTYPRIDD, CF37 5UR

Report for Development Control Planning Committee

Ffynon Taf

20/1369/16 Decision Date: 23/12/2021
Proposal: The submission of reserved matter details (pursuant to condition 9 of consent 19/0380/15) for Phase 2A engineering works comprising piling works associated with the proposed Ffordd Bleddyn bridge
Location: LAND AT GARTH WORKS INDUSTRIAL ESTATE AND TAFF'S WELL RAILWAY STATION, WEST OF THE A470

21/1353/10 Decision Date: 07/12/2021
Proposal: Installation of a 6000L methanol storage tank enclosed within a weather proof enclosure.
Location: UNIT 1 BIOCATALYSTS, CEFN COED, NANTGARW, TAFF'S WELL, CARDIFF, CF15 7QQ

21/1365/01 Decision Date: 08/12/2021
Proposal: Proposed signage scheme incorporating 2 no. internally illuminated built-up metal logos with acrylic faces, 1 no. set of non-illuminated white Perspex lettering and 1 no. internally illuminated projecting logo comprised of
Location: THE CO OPERATIVE FOOD STORE, 30 CARDIFF ROAD, TAFF'S WELL, CARDIFF, CF15 7RF

21/1515/10 Decision Date: 15/12/2021
Proposal: Single storey side extension.
Location: 6 RHIW'R DDAR, TAFF'S WELL, CARDIFF, CF15 7NA

Llantwit Fardre

21/1347/10 Decision Date: 17/12/2021
Proposal: Dropped Kerb.
Location: 28 HEOL DOWLAIS, EFAIL ISAF, PONTYPRIDD, CF38 1BB

21/1450/10 Decision Date: 06/12/2021
Proposal: Construction of a 2 storey side extension (Amended plans received 01/12/2021)
Location: 9 YORK DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NR

Church Village

21/1400/10 Decision Date: 16/12/2021
Proposal: Proposed porch extension and formation of additional off-street parking area to front of property.
Location: 15 CAE FARDRE, CHURCH VILLAGE, PONTYPRIDD, CF38 1DR

21/1462/10 Decision Date: 10/12/2021
Proposal: Use of dwelling's conservatory for dog grooming (retrospective).
Location: 14 TY CRWYN, CHURCH VILLAGE, PONTYPRIDD, CF38 2HX

Report for Development Control Planning Committee

Tonteg

21/1268/10 Decision Date: 10/12/2021

Proposal: Two storey extension to side and front.

Location: CORNEL, 2 TONTEG CLOSE, TON-TEG, PONTYPRIDD, CF38 1LT

21/1579/10 Decision Date: 22/12/2021

Proposal: Two storey side extension.

Location: 3 RUTHIN WAY, TONTEG, PONTYPRIDD, CF38 1TF

Gilfach Goch

21/1403/10 Decision Date: 10/12/2021

Proposal: Two storey extension.

Location: 7 HILL STREET, HENDREFORGAN, GILFACH-GOCH, PORTH, CF39 8TW

Tonyrefail West

21/1056/10 Decision Date: 09/12/2021

Proposal: Change of use from agricultural land to burial plots to provide an extension to Trane Cemetery. (Revised plan to remove access road extension and parking area received 7/10/21. Ecology survey received 19/10/21)

Location: TONYREFAIL CEMETERY, GILFACH ROAD, TONYREFAIL

Beddau

21/1333/10 Decision Date: 07/12/2021

Proposal: Summer house and new fence.

Location: 1 MANOR CHASE, BEDDAU, PONTYPRIDD, CF38 2JD

21/1399/10 Decision Date: 16/12/2021

Proposal: Proposed garden works to include garden rooms and reforming existing sloped gradient for levelled seating area.

Location: 52 CLOS MYDDLYN, BEDDAU, PONTYPRIDD, CF38 2JT

Report for Development Control Planning Committee

Town (Llantrisant)

21/1398/10 Decision Date: 15/12/2021

Proposal: Proposed single storey side extension.

Location: BROOKFIELD HOUSE, CARDIFF ROAD, LLANTRISANT, PONTYCLUN, CF72 8PR

21/1426/10 Decision Date: 17/12/2021

Proposal: Installation of two flour silos.

Location: WELSH PANTRY, UNIT 10, LLANTRISANT BUSINESS PARK, LLANTRISANT, PONT-Y-CLUN, PONTYCLUN, CF72 8LF

21/1441/10 Decision Date: 08/12/2021

Proposal: Installation of a storage tank farm and associated hard standing and regrading works and new construction access.

Location: UNIT D AND C PUROLITE INTERNATIONAL LTD, LLANTRISANT BUSINESS PARK, LLANTRISANT, PONT-Y-CLUN, PONTYCLUN, CF72 8LF

Talbot Green

21/1409/10 Decision Date: 20/12/2021

Proposal: Extension over garage, change front patio door to bay window.

Location: 19 FOREST HILLS DRIVE, TALBOT GREEN, PONTYCLUN, CF72 8JB

Pontyclun

21/0817/10 Decision Date: 14/12/2021

Proposal: Single storey extension.

Location: 61 COWBRIDGE ROAD, PONT-Y-CLUN, PONTYCLUN, CF72 9EB

21/1355/10 Decision Date: 08/12/2021

Proposal: Proposed additions to existing Base Station installation at rooftop at Llantrisant ATE.

Location: ROOFTOP AT LLANTRISANT ATE, COWBRIDGE ROAD, TABLOT GREEN, PONTYCLUN, CF72 8HL

21/1420/10 Decision Date: 17/12/2021

Proposal: Enlargement and conversion of garage into a granny annexe.

Location: 24 PEN-Y-GROES, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8PA

21/1500/10 Decision Date: 16/12/2021

Proposal: Rear two storey extension.

Location: 7 CRYSTAL WOOD DRIVE, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8TH

Report for Development Control Planning Committee

Llanharry

21/1422/10 Decision Date: 22/12/2021
Proposal: Proposed change of use of existing unit from class B1/B2/B8 to class D2 role play centre.
Location: UNIT 15, F AND H, HEPWORTH BUSINESS PARK, TALBOT GREEN

Llanharan

21/1381/10 Decision Date: 15/12/2021
Proposal: New build commercial holiday let, 2 bed with mezzanine level.
Location: BUILDING NORTH OF 1 & 2 FOREST VIEW. YNYSMAERDY, PONTYCLUN, CF72 9JZ

21/1413/10 Decision Date: 08/12/2021
Proposal: Two storey side extension and a single storey rear extension.
Location: 21 BLUEBELL DRIVE, LLANHARAN, PONTYCLUN, CF72 9UN

Brynna

21/1421/10 Decision Date: 10/12/2021
Proposal: Proposed construction of rear single storey extension.
Location: 5 BETHLEHEM VIEW, LLANHARAN, PONTYCLUN, CF72 9PY

21/1435/10 Decision Date: 15/12/2021
Proposal: Double storey side extension.
Location: 6 MEADOW RISE, BRYNNA, PONTYCLUN, CF72 9TA

Total Number of Delegated decisions is 63

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Aberdare West/Llwydcoed

21/0779/10 Decision Date: 22/12/2021

Proposal: Retention of structure to be used as three lock up units for storage.

Location: DARE ROAD/JAMES STREET, CWMDARE, ABERDARE

Reason: 1 The proposed development of three storage units with lack of satisfactory turning facility will result in multiple reversing movements to and from Dare Road by all types of vehicle increasing potential hazards to the detriment of safety of all highway users and the free flow of traffic. The application is therefore contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Mountain Ash East

21/1129/10 Decision Date: 22/12/2021

Proposal: Change of use of land (from use for storage) to dog walking facility.

Location: LAND TO THE REAR OF TON-COCH TERRACE, CEFNPENNAR, MOUNTAIN ASH

Reason: 1 The proposed development is considered to be contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan as it would result in an adverse impact upon highway safety in the vicinity of the application site for the following reasons:

The proposed access lane is sub-standard in terms of width for safe two-way vehicular movement, visibility with the junction of Ton Coch Terrace, sub-standard forward vision, lack of segregated footway facilities, sub-standard surface water drainage, no street lighting, and structural integrity to serve the increase in vehicular and pedestrian traffic generated by the proposed development.

The applicant has no control over the existing sub-standard access leading to the proposed development site and therefore the existing access lane cannot be improved to provide a safe and satisfactory access.

Reason: 2 Insufficient information has been provided to demonstrate how matters relating to the retention and protection of the public right of way, which follows part of the route of the access to the application site, would be accommodated within the proposals. As such, the scheme is contrary to the requirements of policy AW7 the Rhondda Cynon Taf Local Development Plan.

21/1433/10 Decision Date: 21/12/2021

Proposal: Construction of a first floor to the existing bungalow to form a two storey dwelling.

Location: 9 ABER-FFRWD ROAD, MOUNTAIN ASH, CF45 4AR

Report for Development Control Planning Committee

Mountain Ash East

Reason: 1 The proposed development, in terms of its size and resulting scale, would constitute an unsympathetic development, which would be poorly related to the character and proportions of the original building. As such the proposal conflicts with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

Reason: 2 The proposed development, in terms of its design, would result in unacceptable levels of overlooking and loss of privacy to neighbouring dwellings. As such, the proposal would result in a detrimental impact upon the levels of residential amenity currently enjoyed by those occupiers. Accordingly, the proposal is contrary to Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales

Treorchy

21/1303/10 Decision Date: 06/12/2021

Proposal: Demolish existing garage and build a new garage.

Location: 3 TYNBYEDW TERRACE, TREORCHY, CF42 6RL

Reason: 1 The proposed garage, arising from its elevated nature and excessive scale would represent a visually obtrusive, overbearing and incongruous feature to the detriment of existing levels of residential amenity currently enjoyed in the locality. As such, the proposal is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan

Llwynypia

21/1404/10 Decision Date: 19/12/2021

Proposal: Two storey outbuilding / store to rear.

Location: 89 PARTRIDGE ROAD, LLWYNYPIA, TONYPANDY, CF40 2LS

Reason: 1 The proposed outbuilding by virtue of its siting and scale, would represent a visually incongruous and dominant development which would be out of keeping with the character and appearance of the surrounding locality. As such, the proposal is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the Council's Supplementary Planning Guidance on Householder Development.

Report for Development Control Planning Committee

Tylorstown

21/1379/10 Decision Date: 08/12/2021

Proposal: Retention of a raised deck area to rear of property.

Location: 26 PENRHYS AVENUE, TYLORSTOWN, FERNDALE, CF43 3AY

Reason: 1 The decking as constructed by virtue of its scale, design and elevated height forms an unneighbourly form of development which directly overlooks and adversely impacts upon the amenity and privacy of neighbouring occupiers. As such, the application is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's Supplementary Planning Guidance 'A Design Guide for Householder Development'.

Treforest

21/1416/10 Decision Date: 22/12/2021

Proposal: Change of use dwelling house to 2 no. 2-bedroom apartments and conversion of garage to a bed-sit unit, with associated ancillary spaces and reconfiguration of parking area for additional off-street parking bay.

Location: BRYNHEULOG, BRYNHYFRYD PLACE, TOWER STREET, TREFOREST, PONTYPRIDD, CF37 1NP

Reason: 1 The lower ground floor residential unit (garage conversion), as a result of its limited size and lack of an outlook would result in residential development of substandard amenity and is therefore contrary to policy AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales

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

In the absence of adequate off-street car parking facilities, the proposed development would lead to indiscriminate on-street car parking along Tower Street and junction of Laura Street leading to increased hazards to the detriment of the safety of all highway users and free flow of traffic.

Tonyrefail East

21/1350/15 Decision Date: 10/12/2021

Proposal: Variation of Condition 12 (roundabout details) of planning permission 18/0313/10.

Location: LAND TO THE EAST OF MILL STREET, TONYREFAIL

Reason: 1 The proposed variation of Condition 12 will not guarantee the delivery of safe and adequate access improvements to serve the proposed development any future housing developments at this allocated site (SSA10.6); or the adjacent allocated housing site (SSA10.9) and proposed highway bypass link between Pritchard Street and Mill Street which would each share this access point, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

21/1490/09 Decision Date: 22/12/2021

Proposal: Certificate of lawful development for existing use/operation or activity. To refurbish the fire damaged farmhouse.

Location: GARTH HALL FARM, ROAD TO GARTH HALL FARM, COEDEL, TONYREFAIL, CF39 8HJ

Reason: 1 Insufficient evidence has been submitted to demonstrate that the property has been in lawful use as a dwelling. The applicant has failed to establish that the use applied for has existed on the land 4 years prior to the submission of the application. In addition, insufficient information has been provided to evidence that the residential use of the site has not been abandoned. Consequently, the development is not lawful for planning purposes and planning permission is required for the use of the site for residential purposes – C3 Use Class.

Therefore, for the reasons above and on the balance of probability, the property has not been in continuous use as a dwelling for a period demonstrating lawful use, and the former residential use of the site has been abandonment. A Lawful Development Certificate for an Existing Use cannot therefore be issued.

Report for Development Control Planning Committee

Ty'n y Nant

21/1089/10

Decision Date: 07/12/2021

Proposal: Replace fencing to the boundary wall at the side of property which runs adjacent to a highway (Amended site plan received 12/10/2021).

Location: 29 CASTLEFORD CLOSE, BEDDAU, PONTYPRIDD, CF38 2RW

Reason: 1 The proposed fencing, arising from its design, scale and siting would represent a visually obtrusive and incongruous feature to the detriment of the existing character and appearance of the street scene and wider estate, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 The new fence would encroach onto the public footway causing an obstruction to pedestrians; and the plans are not sufficiently clear to demonstrate that an appropriate vision splay would be maintained on site, to the detriment of highway and pedestrian safety, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan

Pontyclun

21/1507/10

Decision Date: 16/12/2021

Proposal: Detached garage with basement gym/studio.

Location: 58 HEOL MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 9AL

Reason: 1 The proposed garage, arising from its elevated nature and excessive scale would represent a visually obtrusive, overbearing and incongruous feature to the detriment of existing levels of residential amenity currently enjoyed in the locality. As such, the proposal is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Brynna

21/1386/10 Decision Date: 08/12/2021

Proposal: Single rear / side extension.

Location: 7 BRYN HENLLAN, BRYNNA, PONTYCLUN, CF72 9SG

Reason: 1 The front extension, by virtue of its scale, design and siting, represents an incongruous development that would be out-of-keeping with the character and appearance of the host property, the pair of semi-detached dwellings and the surrounding street scene, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and guidance set out in Supplementary Planning Guidance Design Guide for Householder Development.

Reason: 2 The front extension, by virtue of its scale, design and siting, represents an unneighbourly form of development that would unacceptably impact upon the amenities of the adjoining property. The proposal would therefore be contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and guidance set out in Supplementary Planning Guidance Design Guide for Householder Development.

Total Number of Delegated decisions is 12