



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

COMMITTEE SUMMONS

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

Meeting Contact: Jess Daniel - Democratic Services (07385401877)

A virtual meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** will be held on **THURSDAY, 21ST OCTOBER, 2021 at 3.00 PM.**

NON-COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC MAY REQUEST THE FACILITY TO ADDRESS THE COMMITTEE AT THEIR MEETING ON THE BUSINESS LISTED. IT IS KINDLY ASKED THAT SUCH NOTIFICATION IS MADE TO **PLANNINGSERVICES@RCTCBC.GOV.UK** BY 5PM ON TUESDAY, 19 OCTOBER 2021, INCLUDING STIPULATING WHETHER THE ADDRESS WILL BE IN WELSH OR ENGLISH.

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

AGENDA

1. DECLARATION OF INTEREST

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

Note:

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

2. HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

To note, that when Committee Members determine the development

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

3. WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

4. MINUTES 02.09.21

To approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on 2nd September 2021.

5 - 10

APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

5. APPLICATION NO: 20/0538

New build house making use of the existing access track on the site. (Revised Ecological Impact Assessment received 16/04/2021) (amended site location plan received 21/07/2021).

LAND AT TYNBYEDW CLOSE, TREORCHY, CF42 6RN

11 - 26

6. APPLICATION NO: 21/0466

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

CALVARY CHURCH, WOOD ROAD, TREFOREST, PONTYPRIDD

27 - 40

7. APPLICATION NO: 21/0661

Development of a single wind turbine and associated infrastructure. (Cable Ducting Method Statement received 2nd August 2021)

LAND AT RHIWFELIN FACH FARM, LLANTRISANT ROAD, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 8LQ

41 - 56

8. APPLICATION NO: 21/0864

Variation of condition 2 (plans) of planning permission 17/0321/10, to reduce hub and tip height of turbine. (Amended plan with new turbine type received 9th August 2021).

LAND ADJ. TO FORMER NANT-Y-GWYDDON LANDFILL SITE

9. APPLICATION NO: 21/1086

Proposed extension, internal alterations, conversion of existing detached cold store to an on-site micro brewery and installation of PV solar panels on main roof.

BUNCH OF GRAPES PUBLIC HOUSE, 40 YNYSANGHARAD ROAD, PONTYPRIDD, CF37 4DA

75 - 84

10. APPLICATION NO: 21/1156

Garden fencing and widening of driveway.

14 HEOL-Y-SARN, LLANTRISANT, PONTYCLUN, CF72 8DB

85 - 90

11. APPLICATION NO: 21/0687

2 pairs of semi-detached houses.

Land south of Taff Terrace, Clydach Vale, Tonypandy

91 - 100

12. APPLICATION NO: 21/1020

Proposed change of use from retail to a takeaway.

27 Brook Street, Williamstown, Tonypandy, CF40 1RB

101 - 110

13. APPLICATION NO: 20/0158/10

Demolition of 2 No. existing commercial buildings and replacement with a new, purpose-built premises with a store/cutting room and retail showroom along with associated car parking and landscaping and ancillary works. (Bat Report received 26/10/20) (Swept Path Analysis received 29/01/21) (Amended Plans received 07/07/21).

Leeway Carpets and Flooring, 500-555 Llantrisant Road, Penycoedcae, Pontypridd, CF37 1PL

111 - 124

14. 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, Ton Pentre

125 - 138

15. APPLICATION NO: 21/1193

Removal of condition 13 (retaining walls) of planning permission ref: 21/0378/08.

Ysgol Gynradd Gymraeg Aberdare, Laburnum Drive Cwmbach

139 - 150

APPLICATIONS RECOMMENDED FOR REFUSAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

16. 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).

25 Thomas Street, Tonypandy.

151 - 156

INFORMATION REPORT

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

To inform Members of the following, for the period 27/09/2021 – 08/10/2021

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

157 - 170

18. 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 W Lewis, Councillor W Owen,
Councillor S Powderhill, Councillor J Williams and Councillor D Williams

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



RHONDDA CYNON TAF COUNCIL PLANNING AND DEVELOPMENT COMMITTEE

Minutes of the virtual meeting of the Planning and Development Committee held on Thursday, 2 September 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 W Lewis	Councillor D Williams
Councillor S Powderhill	

Officers in attendance:-

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

County Borough Councillors in attendance:-

Councillor R Bevan, Councillor J Barton, Councillor S Belzak, Councillor J Brencher,
Councillor G Holmes and Councillor R Yeo

47 WELCOME AND APOLOGIES

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

48 DECLARATION OF INTEREST

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

49 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.

50 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.

51 MINUTES

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 22nd July 2021.

52 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.

53 APPLICATION NO: 21/0635/10

Detached 3 bed bungalow with parking for 3 cars (Affecting Public Right of Way PON/4/1). Bodwenarth Farm, Albion Court, Cilfynydd

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:

- Ms Amanda Lloyd (Applicant)
- Objector 1 (Objector)

The Applicant exercised the right to respond to the comments made by the objector.

Non-Committee/ Local Member – County Borough Councillor S Belzak spoke on the application and put forward his objection in respect of the proposed Development.

The Head of Major Development and Investment presented the application to Committee and following consideration it was **RESOLVED** to defer the Application for a Site Inspection to be undertaken by the Planning and Development Committee to consider the potential drainage issues and height of the proposed fence.

54 APPLICATION NO: 21/0431/15

Variation of condition 2 (approved plans) to seek permission for amended building location, building height, forecourt and external cladding. (Original application 19/0791/10) (Amended plans received 02/08/21). Storage Unit off Heol Y Beddau, Pontypridd, CF38 2AG

Members **RESOLVED** to defer the application for a site inspection to be undertaken by the Planning and Development Committee to consider the distance from nearby properties, whether the proposed development is in keeping with the local area and highways matters concerning the lane accessing the site.

In view of the above decision, the Chair informed the persons present to address the Committee on the application that if they wished to speak when the matter

was next reported to Committee, they would have to submit requests to do so.

55 APPLICATION NO: 21/0809/10

Proposed rear dormer loft conversion, front porch & kitchen extension. 38 Clos Myddlyn, Beddau, Pontypridd, CF38 2JS

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:

- Ms Jemma Ajax (Objector)
- Ms Naomi Jones (Objector)

The Head of Major Development and Investment presented the application to Committee and following lengthy discussion Members were minded to refuse the application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that the proposal would cause over looking to nearby properties and overdevelopment of the site.

Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

56 APPLICATION NO: 21/0001

Variation of condition 1(c) & 1(d) of planning permission 09/0386/13 to allow for an extension to the permitted time frames for the application of reserved matters by a further 10 years and the extension of the permitted timeframe for the commencement of development by a further 12 years or by 2 years from the date of the last reserved matters to be approved whichever is the later. Land at the former Coedely Colliery off the A4119, Coedely.

The Committee noted that Mr Will Ryan (Agent) who had requested to address the Committee was unable to connect to the virtual meeting to do so.

The Head of Major Development and Investment 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 with an amendment to condition 1 to enable the development to be phased and subject to an update/ amendment to the existing Section 106 Agreement to provide:

Highway contributions payed on a phased basis as follows –

- interest at 4% above the base lending rate of Barclays Bank plc f time to time

- £197,000 payable prior to the beneficial occupation of 12,150 square metres of floorspace;
- £184,000 payable prior to the beneficial occupation of 24,000 square metres of floorspace;
- £42,250 payable prior to the beneficial occupation of 26,500 square metres of floorspace;
- £42,250 payable prior to the beneficial occupation of 29,000 square metres of floorspace;
- £42,250 payable prior to the beneficial occupation of 31,500 square metres of floorspace;
- £42,250 payable prior to the beneficial occupation of 34,000 square metres of floorspace.

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

- £9,000 payable prior to the beneficial occupation of 12,150 square metres of floorspace;
- £8,000 payable prior to the beneficial occupation of 24,000 square metres of floorspace;
- £2,000 payable prior to the beneficial occupation of 26,500 square metres of floorspace;
- £2,000 payable prior to the beneficial occupation of 29,000 square metres of floorspace;
- £2,000 payable prior to the beneficial occupation of 31,500 square metres of floorspace;
- £2,000 payable prior to the beneficial occupation of 34,000 square metres of floorspace.

The designation of Plot N2 for outdoor recreational space

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

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

57 APPLICATION NO: 21/0058/10

Detached house with integral double garage. Former Glen Transport Site, Penycoedcae Road, Penycoedcae, Pontypridd.

In accordance with adopted procedures, the Committee received Mr Geraint Israel (Applicant) who was afforded five minutes to address Members on the above-mentioned proposal.

Non-Committee/ Local Members – County Borough Councillors J Brencher and R Yeo spoke on the application and put forward their support in respect of the proposed Development.

The Head of Major Development and Investment presented the application to Committee and following consideration Members were minded to approve the above-mentioned application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that the site is acceptable for residential use and would have a beneficial impact on the site.

Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

58 APPLICATION NO: 21/0335/10

Change of use of vacant shop to self-contained flat, enlargement of rear dormer window and associated works. 90 Queen Street, Treforest, Pontypridd, CF37 1RN

The Head of Major Development and Investment presented the application to Committee and following consideration Members were minded to refuse the above-mentioned application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that the proposed development would have a detrimental impact on parking, loss of amenity and overbearing impact. Members also voiced concern regarding overdevelopment at the site as a result of the proposed development.

Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

59 APPLICATION NO: 21/0613

Change of use from army surplus shop (A1) to craft ale and cocktail bar (A3) with roller shutter to front door. 12 Market Street, Pontypridd, CF37 2ST

In accordance with Minute No:35 of the Planning and Development Committee held on the 12th August 2021, the Committee considered the report of the

Director, Legal & Democratic Services outlining the outcome of the site visit inspection which was held on the 24th August in respect of the application which was recommended for approval by the Service Director Planning.

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

60 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 02/08/2021 – 20/08/2021.

This meeting closed at 4.50 pm

**CLLR G CAPLE
CHAIR.**



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: 20/0538/10
(BJW)
APPLICANT: Mr P Morris
DEVELOPMENT: The development will be a new build house making use of the existing access track on the site. (Revised Ecological Impact Assessment received 16/04/2021) (amended site location plan received 21/07/2021).
LOCATION: LAND AT TYNBYBEDW CLOSE, TREORCHY, CF42 6RN
DATE REGISTERED: 21/07/2021
ELECTORAL DIVISION: Treorchy

RECOMMENDATION: Approve.

REASONS: The site is a windfall site that is immediately adjacent to the settlement boundary of Treorchy that is in accordance to Policy NSA12 of the Rhondda Cynon Taf Local Development Plan.

The proposal to construct a single dwelling on a now reduced site is considered to be a minor and acceptable extension to the settlement boundary of the village of Treorchy that would not have an adverse impact in terms of the amenity of neighbouring properties, the visual amenity of the area and to highway safety.

Additionally, subject to appropriately worded conditions, it is considered that the proposal would be acceptable in terms of its effect on the ecology of the area and the ongoing claim for a Public Right of Way on the southern boundary of the site.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for the construction of a large detached dwelling on land at the end of Tynybedw Close, Treorchy.

The application has been the subject of a prolonged application process due to the need to undertake an ecological assessment of the site and a change in the red-line boundary of the site to provide a curtilage more in keeping with dwellings within the immediate locality. These changes both required a re-validation of the application and also necessitated a revised consultation exercise.

The proposed development would consist of a single detached dwelling within the north east of the site, accessed off the existing access track. The dwelling would measure 16.2m in width by 7m in depth by 4.64m to the eaves and 8.2m to the highest part of the roof.

Accommodation would consist of the following:

Ground floor – hall; living room/kitchen; bathroom; family room and utility room.

First floor – 3 no. bedrooms (1 en-suite) and a bathroom.

Attic floor – bedroom; office and storage area.

In addition to the plans for the proposal, which now include a revised and reduced red-line boundary (as amended 21/07/2021) the application also includes the following supporting document:

Ecological Impact Assessment – Land at Tynybedw Close, Treorchy – Wildwood Ecology, dated 02/09/2020

SITE APPRAISAL

The application site is a roughly rectangular shaped piece of land located at the end of Tynybedw Close, in Treorchy. The site slopes from north-east to south-west and is bisected by an existing access track from Tynybedw Close that serves the site. The revised application site is between 27m-36m in width by 72m in length and has an area of approximately 2,236 sqm.

The application site is part of a wider area of land owned by the applicant that extends to the south-east and backs onto properties in Troedyrhiw Terrace and Myrtle Row.

The site contains several agricultural sheds, stables and outbuildings, commensurate with informal countryside recreational use. The main approach and access to the site would be the existing highway serving Tynybedw Close which also has a turning facility immediately adjacent to the application site.

PLANNING HISTORY

21/0408	Land at the end of Tynybedw Close, Treorchy	New hay and straw barn	Withdrawn 21/05/2021
20/0316	Tynybedw Close, Treorchy	Erection of new dwelling, using existing access track to site.	Withdrawn 12/06/2020

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. Comments have been received from 17 respondents, representing 19 individuals. Several respondents commented on multiple occasions due to the revised consultations carried out on the application following the initial Ecology report, the updated final Ecology report and the alteration to the red-line boundary for the application.

A synopsis of the comments received are as follows:

Land Ownership

1. The access bridge is not in the ownership of the applicant.

Highway issues

1. The access to the site is via a substandard wooden bridge. This is unsuitable and inadequate to serve a development of this kind.
2. We don't believe the bridge has the strength to support regular household motor traffic, and certainly not construction traffic, without causing the collapse of the watercourse. Should this happen it is then likely to intensify the already high risk of surface water flooding in Tynybedw Close, as described by Natural Resources Wales in their Flood Risk Map.
3. Construction traffic and deliveries would cause a danger to pedestrians, leave mud and debris on the highway and cause noise and disturbance to residents from Crosswood Street and all along Tynybedw Terrace and Close.
4. The proposal will intensify the use of the turning head on Tynybedw Close and increase levels of traffic and congestion along the entire cul-de-sac.
5. Provision should be made for the removal of dirt/dust/mud etc via a wheel/vehicle wash so that it is not transported through the local roads as has previously, and still is, the case.
6. Deliveries should be restricted 30 minutes either side of school, opening and closing times.
7. Additional strain on the already very congested road network leading to the development. Tynybedw Close and Terrace are effectively one-way roads where many cars park on pavements and pedestrians must use the roads already. The school at the bottom of the street and weekly bin collection with 2/3 separate large vehicles often bring the streets to a standstill.

Right of Way

1. What surety do you have from the applicant that the ROW's will be unaffected and accessible before, during and after any completion as there are 2 ROW on the site, one that goes through this land and one along the upper left perimeter?
2. At both ends of the site now under consideration, paths that formerly gave the public access to the mountain, have been illegally fenced off. Access needs to be restored immediately.

Ecological issues

1. The site needs an ecological assessment as there are bats and slow worms on the site which should be protected.
2. The initially submitted assessment was a 'draft assessment' and needs to be updated to a full report.
3. The subsequently submitted full report is almost identical to the previously submitted draft report.
4. How would the groundworks effect the current water course as there has been major flooding in Treorchy already?
5. A desk study was performed in August 2020. How can this reflect reality? The pandemic has shown that some species of wildlife have colonised or re-colonised sites or areas due to lack of people, travel, etc., so how can this survey be considered valid.
6. The results of the survey are contested and the validity of the study, including the short period over which it was completed, and its findings and recommendations are also challenged.
7. This parcel of land is notoriously wet and unstable and over the years has been the cause of serious flooding that has affected properties both in Troedyrhiw Terrace and Myrtle Row. During the inclement weather we experienced earlier this year, run-off from this land flooded a property in Myrtle Row and other properties in the street were extremely fortunate to escape damage. Detritus from the flood is still visible in the street. Any development on this land will certainly exacerbate this problem.
8. When remedial work was carried out on the adjoining former Tynybedw Colliery site some years ago, the wildlife survey that was undertaken, showed the area to be an important habitat for a number of protected species, including bats, slow-worms, newts and lizards. The site now under consideration was previously owned by the Forestry Commission, now Natural Resources Wales, and is, in effect, an extension of the Tynybedw area. Extending the built-up area will certainly have a negative impact on these species.

General issues

1. The use of a septic tank is unsuitable and could cause environmental issues within the area. How will it be emptied?
2. There is no provision on the plan or application form that explains how the development will access the supply of water, electricity, gas or telecommunications. This causes some concern as there are already issues with water pressure in Tynybedw Close. At times of high demand, it is not unusual for more than one resident to lose pressure to an extent where bathroom facilities cannot be used effectively. Dwr Cymru is aware of this situation as they are regularly contacted to address the problem.
3. The existing buildings are of an age that they could contain asbestos.
4. Should consent be allowed then there should be a restriction that no work is conducted on a weekend inclusive of access on/off site for deliveries, waste removal, etc.
5. There is a possibility that the application is just the start of development at this site.

6. Various issues regarding the agent being an employee of RCT Council and failing to disclose this in the previous application as well as this one.
7. Mr Morris (the applicant) currently runs and operates a plant hire business, some of these machines are huge. What about access yet again if he continues to operate from the land and what about smell and ground pollution from the diesel, and oil into the land?
8. Existing services and utilities are at their maximum potential also at Tynybedw Close with already very poor water pressure and stone age internet speeds. I note that the development will be using a septic tank for foul waste. Which will bring their own problems, such as regular emptying, maintenance and smell.
9. I understand that there is planning for only one development on this agricultural land at present, but due to the orientation and layout of the proposed development. I fear that the approval will open the flood gates for years of ongoing disruptive construction works that will inevitably turn the close into a haul road.
10. The current application states that the site is not agricultural land while a subsequent application (21/0408/10) states that it is. Which is it, as it cannot be both? Also the applications are being dealt with by different officers while it should be the same officer.
11. Why has the site area been reduced from that which was originally submitted?
12. I would also suggest that a site visit by members of the planning committee should be arranged prior to any decisions being made.

CONSULTATION

Transportation Section – no objection, subject to conditions requiring additional details for the culverting of the watercourse and vehicular tie-in with Tynybedw Close; details of parking facilities to serve the proposed dwelling; a restriction on surface water-run-off; a requirement for wheel washing facilities for vehicles attending the site and a restriction on the delivery times for HGV's visiting the site during the construction phase of the development.

Land Reclamation and Engineering (Drainage) – no objection, subject to conditions to require the drainage arrangements to be submitted to and approved in writing 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. As the applicant intends utilising a septic tank facility we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.

Natural Resources Wales (NRW) – has concerns with the application as submitted, however are satisfied that these concerns can be overcome if the recommendations of the submitted Ecological Impact Assessment – Land at Tynybedw Close, Treorchy, Revision A, dated 02/09/2021 are included in any permission and the approved plans and documents secured by condition.

Public Rights of Way (PROW) Officer – raises no objection but noted that in the interests of public amenity and to ensure the protection of the Claimed Right of Way recommends a condition to ensure protection of the Claimed Right of Way (CROW). No development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority which demonstrates how the Claimed Right of Way will remain open, accessible and unobstructed during construction together with a schedule of the measures which will be employed to ensure that the Claimed Right of Way is not damaged by the construction. The development shall be carried out in accordance with the approved method statement.

Additionally, the applicant should be aware that the land is currently designated access land.

Countryside, Landscape and Ecology – no objection, subject to a condition for details of all ecological mitigation and enhancement measures identified in the Wildwood Ecology Ecological Impact Assessment dated September 2020 to be secured and undertaken.

POLICY CONTEXT

The site is outside of, but directly adjacent to the settlement boundary of Treorchy and is within Special Landscape Area (SLA) – Cwm Orci (Policy NSA25.6 refers).

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 AW7 – identifies that proposals which affect public rights of way will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area / public facilities.

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.

Policy NSA25.6 – identifies the site as a Special Landscape Area (SLA). Development within the defined SLA's will be expected to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

Supplementary Planning Guidance (SPG):

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 generally 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 planning policy guidance consulted:

- PPW Technical Advice Note 5: Nature Conservation and Planning
- PPW Technical Advice Note 12: Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main issues:

Principle of the proposed development

The development site is outside of but immediately adjacent to the defined settlement boundary of Treorchy. In such instances small scale extensions to the settlement boundary can be considered acceptable within the Northern Strategy Area, subject to compliance with Policy NSA12 of the Local Development Plan.

In this regard it is considered that the proposal does comply with the criteria set out within Policy NSA12. Specifically, the development would not adversely affect the provision of open space; would not adversely affect the highway network and is accessible to local services by a range of transport modes, on foot or by cycle; would not adversely affect the provision of parking in the area; is for the construction of less than 10 dwellings; is bounded on at least one side by the settlement boundary and is not within a Green Wedge.

Although the site is within a Special Landscape Area (SLA), NSA25.6 – Cwm Orci, it is considered that the site is well related to the surrounding settlement, particularly the modern and contemporary properties to the north-west in Tynybedw Close, rather than the more obvious countryside beyond.

It is considered that the dwelling could be accommodated at the site without leading to overdevelopment and that the proposal would make a productive use of the land that would be in-keeping with surrounding land uses.

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 site is located to the south-east of existing properties in Tynybedw Close. Having regard to the proposed layout of the dwelling it is considered that there is sufficient separation between existing and proposed properties. Consequently, it is not considered the proposed dwelling would have any adverse impact on existing levels of privacy and amenity.

Additionally, it is considered that the proposed dwelling is capable of being accommodated at the site without leading to overdevelopment and despite the large dimensions of the proposed dwelling, it is not considered that it would be overbearing within the wider setting of the area or this edge of settlement site.

While comments have been made by neighbouring properties in relation to a loss of amenity, this is mainly due to increased levels of traffic use and the impact on the existing turning area at the end of Tynybedw Close. It is considered that this is a highway safety issue, related to amenity, and this matter will be addressed in the relevant section later in the report.

Therefore, having regard to the issues above, it is considered that the proposal is acceptable in this respect.

Character and appearance of the area

The proposed dwelling would represent a large, modern and contemporary property on a prominent, edge-of-settlement site that is also within a SLA.

Tynybedw Close is itself a modern and contemporary development of large, detached dwellings. It is considered that the proposed dwelling would be in-keeping with the scale, style and character of immediately adjacent dwellings and would form a neat rounding-off development on a windfall site.

Additionally, it is considered that the proposed design would be sympathetic and in keeping with the visual qualities of the SLA improving on the previously haphazard appearance caused by the various countryside, leisure and recreation buildings within the site.

The proposed dwelling is considered to be an attractive, contemporary and modern property that would be in-keeping with the character and appearance of the area and the visual amenity of the immediate and surrounding locality.

It is however considered expedient, reasonable and necessary to restrict the permitted development rights that would normally be afforded to a residential property in this instance. This is due to the prominent hillside and edge-of-settlement position of this particular site and to ensure that the LPA has control of any potential future structures at the site.

Highway safety

The Transportation Section has raised no objection to the application, subject to appropriately worded conditions.

This view acknowledges that access, parking and servicing can be provided for the site subject to the suggested conditions being imposed, discharged and enforced in cases of non-compliance.

It is acknowledged that the site is at the end of a long cul-de-sac where road width and geometry are not ideal and there are limited opportunities for service and delivery vehicles to traverse the whole length of the access unhindered.

However, it is considered that the provision of a single dwelling on this site, suitably conditioned, would not adversely impact on the existing levels of amenity or highway safety.

Consequently, and subject to the suggested conditions, it is considered that the proposal is acceptable in this regard.

Ecology

The application includes a supporting Ecological Impact Assessment carried out by Wildwood Ecology.

Both the draft and final version of this report have been evaluated by the Council's Ecologist and Natural Resources Wales who have accepted the mitigation

recommendations within the reports and recommended that the mitigation be secured by condition.

While the comments received as part of the publicity exercises for the application are acknowledged, the Council's own Ecologist and those of NRW have concluded that the report is a competent piece of work and that securing the mitigation specified would safeguard the ecological sensitivity of this edge of settlement site.

Drainage

The application has been subject to consultations with the Council's Flood Risk Management (FRM) Team, Dwr Cymru Welsh Water (DCWW) and Natural Resources Wales (NRW). All of these statutory consultees have raised no objection to the proposal, subject to conditions and informative notes.

In terms of surface water drainage, the developer will be required to make an application for SuDS approval to the SAB Authority (the Council) to ensure the suitable drainage of the site. This is a separate consent, dealt with in addition to planning approval. On the basis of the comments of FRM, it is considered that an appropriate drainage scheme could be implemented on site.

The applicant's proposal to utilise a septic tank is acknowledged as the concerns thereon. However, no adverse comments have been received from either DCWW or NRW. In terms of concerns over the servicing of the septic tank, this would be the responsibility of the developer and, if undertaken correctly, should pose no environmental issues.

Claimed Right of Way

Respondents to the application have commented that the development affects a Claimed Right of Way (CROW) which is located along the southern boundary of the development site.

In this regard the Definitive Map Officer from the Council's Public Rights of Way Section has stated that:

The applicant should have due regard to the existence of applications to claim Rights of Way within the area outlined in the application.

In the interests of public amenity and to ensure the protection of the Claimed Right of Way. No development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority which demonstrates how the Claimed Right of Way will remain open, accessible and unobstructed during construction together with a schedule of the measures which will be employed to ensure that the Claimed Right of Way is not damaged by the construction. The development shall be carried out in accordance with the approved method statement.

The procedure to claim a Public Right of Way is another matter that is additional and outside the purview of the planning process. The claim for a right of way is subject to a formal process that if confirmed may have an impact on the southern boundary of

the site. However, this matter cannot in itself delay the processing and determination of a planning application.

It is considered that the suggested condition would adequately protect the CROW until this matter is satisfactorily decided. The Council's PROW Section would be able to advise respondents on the best way forward in advancing their claim.

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 extensive representations made by respondents in High Street, Tynybedw Terrace, Tynybedw Close, Crosswood Street, Troedyrhiw Terrace and Myrtle Row the following comments are offered:

The applicant has indicated that the whole of the site is under their ownership/control. Land ownership is not a planning matter but can obviously cause issues should a third party owner not previously identified come forward to enforce their private legal rights over a piece of land. The grant of planning permission does not grant any legal rights over private legal rights on land.

The provision of utilities is the responsibility of the developer in conjunction with the various utility companies. Network providers have a duty of care to both their network and their existing customers to ensure that capacity meets the level of demand put on their systems. Any existing issues with utility providers in the area are material to the determination of this planning application.

The removal of asbestos from site is the responsibility of the developer and should be undertaken in accordance with best practice and to a facility that is appropriately licensed to accept such waste. This does not form a material planning consideration.

The agent for the previous application at the site (20/0316/10) is an employee of the Council and that application was subsequently withdrawn. The current application was originally submitted by the Council employee's private firm but by his father who indicated that his son worked for the Council. Members are advised however that during the application process the original agent was removed by the applicant and replaced by a Mr. P. Williams who, it has been advised, has no ties to the Council.

It is not prohibited that Council employees are restricted as acting as agents for planning applications. It is acknowledged however that this was not correctly declared in the first application and that the change in the point of contact could be construed as unusual. However, neither issue have impacted or influenced the way in which the application has been considered or recommended by officers. It should be noted that this particular employee does not work within the Highways development Control Team and plays no part in the determination of planning applications. As with all planning applications submitted to the Council, it has been considered on its own individual planning merits.

The activities of the applicant, in relation to his plant hire firm, are acknowledged. The use of the site as storage for his business would likely constitute a material change of use of the land for which planning permission would be required. No complaints about the use of the land were received preceding the submission of this or the initially withdrawn applications. The activities on the land in terms of the creation of additional access points onto Troedyrhiw Terrace are subject to ongoing investigations with the Council's Planning Enforcement Section.

Respondents have raised concerns over the potential to "open the floodgates" to additional housing development on the rest of the land to the east of the site which is also in the ownership of the applicant. This is a genuine concern with an essentially simple response. Any application to develop additional land would be subject to a further planning application that would be dealt with on its own individual planning merits. This would include all of the issues currently addressed in this report but on a wider basis. Policy NSA12 would be the main policy issue but material considerations such as stability, drainage, ecology and highway safety would all be re-addressed should such a proposal be submitted.

The applicant submitted and then subsequently withdrew another application for an agricultural barn on the land (21/0408/10). The details for that application claimed that the land was in agricultural use, while the current application states that the original site, and the subsequently reduced site was storage, sheds and outbuildings. In this regard the application to build the barn was withdrawn. The description of the land aside it is clear that the land is former allotments that are now under private ownership. There are number of sheds and outbuildings on the site, consistent with countryside recreation and the keeping of some animals and other livestock. It is on this basis that the application has been considered.

The most recent delay in processing the application has come about due to a reduction in the red-line site boundary area which necessitated a re-consultation exercise. The reduction in site area was to reflect a more reasonable domestic curtilage for a dwelling of this nature. The previous site curtilage was too expansive and was reduced by the applicant for this reason.

The suggestion that Members visit the site is acknowledged. Members may decide that a site visit is warranted having considered the report and presentation.

Conclusions on the neighbour consultation responses

It is very unusual that a relatively minor extension of the settlement boundary, for a single dwelling, should prompt such an overwhelming response from neighbouring properties and the wider locality. Both the number and nature of the responses received portray many reservations, concerns, objections and grievances to this application.

Much has been made of the original agent's position with the Council and the possibility of preferential treatment of the application due to this. This has not been the case, and despite some of the procedural errors in terms of processing and the various re-consultation exercises for the application, the application has been processed in a transparent and appropriate manner.

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 constitute a minor extension of the settlement boundary that would comply with LDP policy and that would, subject to conditions, not have an adverse impact on the existing levels of amenity, the visual amenity of the area, highway safety considerations or ecological matters.

Other issues such as the provision of utilities, the Claimed Right of Way and SuDS approval would be subject to separate legislation and their own consenting regime.

Consequently, the application is considered to be acceptable and a recommendation for approval is offered.

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 completed in accordance with the approved drawings:

- Location Plan, Drawing No. 009, Revision C, 21/07/2021
- Proposed Ground Floor Plan, Drawing No. 001, Revision A
- Proposed First Floor Plan, Drawing No. 002, Revision A
- Proposed Attic Floor Plan, Drawing No. 003, Revision A
- Proposed Front Elevation, Drawing No. 004 Revision A
- Proposed Rear Elevation, Drawing No. 005, Revision A
- Proposed Side Elevation, Drawing No. 006, Revision A
- Proposed Side Elevation, Drawing No. 007, Revision A
- Proposed Site Layout Plan, Drawing No. 008, Revision A
- Ecological Impact Assessment – Land at Tynybedw Close, Treorchy – Wildwood Ecology, dated 02/09/2020

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 conditions. 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no private car garages, extensions, garden sheds, gates, fences, walls, other means of enclosure or structures of any kind (other than any hereby permitted) shall be erected or constructed on this site without the prior express permission of the Local Planning Authority.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. 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 neighbouring buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. 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.

7. Notwithstanding the details shown on the approved plans, the application shall be carried out in strict accordance with the details of all ecological mitigation and enhancement measures identified in Section 5 - Conclusion and recommendations of the Wildwood Ecology Ecological Impact Assessment dated 2nd September 2020. The ecological mitigation measures

shall be implemented on site prior to beneficial occupation of the dwelling hereby approved.

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

8. Notwithstanding the details shown on the approved plans, development shall not commence until design and details of the culverting of the open water course complete with tie in details with Tynybedw Close have been submitted to and approved in writing by the Local Planning Authority. The proposed shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

9. No dwelling shall be occupied until space has been laid out within the site for 3 vehicles to be parked in accordance with details to be submitted to and approved in writing by the Local Planning Authority. That area shall not thereafter be used for any other purpose other than the parking of vehicles.

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.

10. Surface water run-off from the proposed parking areas shall not discharge onto the public highway 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.

11. Prior to the commencement of development, facilities for wheel washing shall be provided on site in accordance with details to be 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.

12. HGV's used as part of the development shall be restricted to 09:30am to 16:30pm weekdays, 09:30am 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.

13. No development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority which demonstrates how the Claimed Right of Way will remain open, accessible and unobstructed during construction together with a schedule of the measures which will be employed to ensure that the Claimed Right of Way is not damaged by the construction. The development shall be carried out in accordance with the approved method statement.

Reason: In the interests of public amenity and to ensure the protection of the Claimed Right of Way in accordance with Policy AW10 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:

1. Lack of parking facilities for the proposal and the impact on existing parking within the area which is already oversubscribed.
2. Lack of need. There are a large amount of empty properties already so is there really a need for more?
3. 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 Councils 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 advises 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.



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:	21/0661/10	(GH)
APPLICANT:	Infinite Renewables Group Ltd	
DEVELOPMENT:	Development of a single wind turbine and associated infrastructure. (Cable Ducting Method Statement received 2nd August 2021)	
LOCATION:	LAND AT RHIWFELIN FACH FARM, LLANTRISANT ROAD, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 8LQ	
DATE REGISTERED:	28/05/2021	
ELECTORAL DIVISION:	Town (Llantrisant)	

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

REASONS: As a single wind turbine, the principle of the development is considered to be acceptable, would be in line with PPW11 and Future Wales 2040 and would contribute to the Welsh Government's renewable energy generation targets.

Furthermore, it is considered that the appearance of the turbine, both in terms of the immediate and local impact and that upon the character of the wider landscape, would not cause visual harm to a degree that would warrant a refusal.

In addition, no objections have been raised by any statutory consultees with respect to the potential impacts upon either the amenity of nearby residential properties, highway safety or ecology. The development is therefore considered to comply with national planning policy and the relevant policies of the Local Development Plan.

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 erection of a wind turbine and associated infrastructure, on land at Rhiwfelin Fach Farm, Llantrisant.

The proposed three-blade wind turbine would have a hub height of 59m, with a maximum height to the tip of 90m, and would be expected to generate 1875 megawatt hours (MWh) of electricity per annum. It would be accessed from a short track leading from the existing Farm entrance and close to its junction with Pantybrad.

The immediate area around the turbine would be enclosed by a post and wire stock proof fence and a small substation/switchgear building with a footprint of 3m x 5m and height of 3.2m would be constructed. The substation would be connected, via underground cable, to existing commercial premises at Llantrisant Business Park.

In terms of external appearance, the turbine is proposed to be of the same yellow and green colour scheme as the existing turbine to the south-west and is proposed to have a lifespan of 25 years, after which the site would be restored to its original condition.

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

- Noise Assessment Report
- Construction Management Traffic Plan
- Planning Statement
- Heritage Assessment
- Ecological Assessment
- Landscape and Visual Impact Assessment (LVIA)
- Cable Ducting Method Statement

SITE APPRAISAL

The land to which this application relates is part of a field, which constitutes part of the wider agricultural unit known as Rhiwfelin Fach Farm.

The site is located to the east of the highway known as Pantybrad and lies approximately 0.52km to the north of the Royal Mint and 279m to the north east of the existing wind turbine known as 'The Daffodil'.

The site comprises a surface area of around 0.42 hectares. It is located outside of the defined settlement boundary and is within a locally designated Special Landscape Area (SLA). However, there are no other specific policy or environmental designations which apply to this location, and although the Rhos Tonyrefail SSSI is located downslope to the south-west, this is around 500m away.

The closest neighbouring residential property to the site is the Rhiwfelin Fach farmhouse, which is roughly 200m to the south east from where the turbine would be erected and part of a cluster of farm buildings. It appears that there are no other residential land uses within 0.6km of the site.

PLANNING HISTORY

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

20/1444/37: EIA Screening opinion for a single medium height wind turbine with an electrical capacity of up to 900 kilowatts. Decision 22/01/21 EIA not required.

PUBLICITY

The application has been advertised by direct notification to twenty neighbouring properties. In addition, six site notices were displayed at the following locations:

- close to the site entrance
- on Pantybrad near its junction with Heol Y Sarn
- near the cattlegrid on Heol Y Sarn (Llantrisant end)
- Llantrisant, by the pelican crossing on Commercial Street
- Llantrisant, by the entrance to Maes Cefn Mably
- Beddau, opposite Llwynyrwn Primary School

Objections were received from three residents, raising issues which can be summarised as follows:

- Going from one turbine to two turbines will double the visual impact and the overall impact as viewed from Llantrisant will be significant, and negatively impact the landscape to an unacceptable degree.
- Over time, such development could take place on a piecemeal, field-by-field basis and have a wider cumulative effect, but without the major consultation or the joined-up approach that would apply to a single large-scale application for a wind farm.
- Concerns about operating noise.
- The LVIA that accompanies the planning application, whilst being very thorough and the visualisations accurate, manages to imply that the visual impact of the proposed large wind turbine would be acceptable. The use of phrases such as "already influence by scattered single wind turbines" "will only add a single vertical element" "only seen from northernmost fringes (of Llantrisant CA)" are intended to downplay the visual impact.
- In reality, the existing 'Naff Daff' wind turbine is very conspicuous from many parts of Llantrisant and just about all parts of the Common, with its ridiculous green and yellow colouring adding insult to injury. A nearby but much larger wind turbine would very much compound this visual impact, especially as it would break the skyline and is proposed to be similar colours. It would add much more than a single vertical element - as we all know, it is the movement of the blades that have the most visual impact, and it would appear very 'in-your-face' for the many people who enjoy the Common.
- By taking such a large study area - 11km radius - the LVIA is bound to find that most of the area is not impacted, especially in landscape (as opposed to visual) terms, and therefore belittle the closer visual impact on the protected and historic/cultural landscapes and townscapes of Llantrisant and intervening land.

One of the main reasons that the SLA was designated is because of its relationship with Llantrisant and the fact that it is a relatively un-spoilt small-scale pre-industrial pastoral landscape which is rare in RCT and would be compromised by the addition of another out-of-scale industrial element.

CONSULTATION

Cardiff Airport – Airfield Operations

Given the elevated location and 90m tip height, it would be worth checking whether the turbine would affect radar operations.

In this regard, the Applicant's Agent provided copies of correspondence with NATS (National Air Traffic Services), which operates air traffic control for Cardiff and Bristol Airports. NATS advised that it did not expect the turbine to be visible to airport radar and that it required no further detail.

Highways and Transportation

No objection subject to conditions

Flood Risk Management

Since the proposed development will encompass works with drainage implications for an area over 100m², Schedule 3 of the Flood and Water Management Act 2010 will apply. There is no objection and a condition in relation to surface water drainage is recommended for this application.

Natural Resources Wales

Any concerns can be overcome by conditions in respect of pollution, contamination, and European Protected Species.

Dwr Cymru Welsh Water

No comments to make.

Western Power Distribution

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

Cadw

The development will not affect the setting of the relevant scheduled monuments.

Countryside, Landscape and Ecology – Ecologist

No objection, subject to the delivery of the mitigation and enhancement proposals contained within the Applicant's ecology report.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within open countryside to the north of Llantrisant.

Policy CS2 - The policy emphasis in the Southern Strategy Area (SSA) 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 strategy area by protecting the natural environment.

Policy CS10 - The policy seeks to protect resources and to contribute to local, regional and national demand for a continuous supply of minerals.

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

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

Policy AW6 - The policy supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness and which have been designed to protect and enhance landscape and biodiversity.

Policy AW7 - The policy seeks to protect sites of architectural or historical merit from inappropriate development.

Policy AW8 - This policy seeks to protect and enhance ecological features and promote biodiversity. All development proposals will be required to demonstrate what measures are proposed for ecological protection and management, and the mitigation of, or compensation for, potential impacts.

Policy AW10 - The policy prevents development which could cause or result in a risk of unacceptable harm to health or local amenity due to flooding, contamination, land instability, or any other identified risk to local amenity and public health.

Policy AW12 - Development proposals that promote the provision of renewable and non-renewable energy will be permitted where it can be demonstrated that there is no unacceptable effect on the interests of soil conservation, agriculture, nature conservation, wildlife, natural and cultural heritage, landscape importance, public health and residential amenity.

Policy SSA 23 - The policy states that Special Landscape Areas have been designated to protect areas of fine landscape quality within Rhondda Cynon Taf. In order to protect the visual qualities of each SLA, development proposals within these areas will be required to conform to the highest possible design standards.

Supplementary Planning Guidance

- Design and Place-making
- Access, Circulation and Parking Requirements
- The Historic Built Environment
- 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 – investment in infrastructure
- Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys

Other relevant national policy guidance considered:

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 22: Sustainable Buildings;
 PPW Technical Advice Note 24: The Historic Environment.

WG Practice Guidance – Planning Implications of Renewable and Low Carbon Energy (February 2011)

WG 'Dear CPO' letter MA-P/CS/1303/16 re: Green Growth (15th March 2016)

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

National planning policy is very supportive of renewable and low carbon energy development. PPW11 recognises that Wales has an abundant wind resource and energy from wind is a key part of the Welsh Government's vision to deliver its targets.

PPW11 also states that the planning system should facilitate delivery of renewable proposals and that since the withdrawal of TAN8, FW2040 sets out the context and specific policies for renewable energy development.

Policy 17 of FW2040 contains the relevant guidance relating to renewable and low carbon energy development and is clear in its direction that decision-makers must give significant weight to the Welsh Government's target to meet 70% of electricity demand by renewable means, by 2030.

Of particular relevance to this site is that it falls within a 'Pre-Assessed Area for Wind Energy'. FW2040 states that these are areas where "the Welsh Government has already modelled the likely impact on the landscape and has found them to be capable of accommodating development in an acceptable way. There is a presumption in favour of large-scale wind energy development (including repowering) in these areas".

Page 97 of FW2040 confirms that the purpose of identifying pre-assessed areas is to provide certainty to developers that there are places where wind developments would be acceptable in principle, whilst page 171 clarifies it is 'vital' that the South-East Region supports the realisation of renewable energy.

In terms of the LDP, Policy AW12 is supportive of renewable energy projects, providing that there is no unacceptable impact to the environment, ecology, landscape, public health or residential amenity. Whilst these material matters are also considered within the body of the report below, the proposed turbine would conform with national and local planning policy and would therefore be acceptable in principle.

National Sustainable Placemaking Outcomes

PPW11 states that development proposals should demonstrate sustainable placemaking to ensure that the right development is achieved in the right place. Furthermore, it states that these placemaking outcomes, the criteria of which are categorised within Chapter 2, should be used to assess development proposals.

PPW recognises that not every proposal will be able to demonstrate that it can meet all of the outcomes, since the nature of the development, in each case, will determine which are most relevant. In addition, it is noted that it can't necessarily be proved that an attribute of a proposal will necessarily result in a particular outcome.

Consequently, the interpretation of the relevant criteria will depend upon the specific proposal and the context of a site, and in the planning balance, that greater material weight may be given to some attributes rather than others.

Although the placemaking aspects of the scheme form part of the consideration within other sections of this report, the proposed development is considered to align particularly well with the following national sustainable placemaking outcomes:

- **Making Best Use of Resources:** The development would make best use of a natural wind resource
- **Maximising Environmental Protection:** The development will provide biodiversity enhancement through a managed area of agricultural land. The development would also contribute towards national clean energy and carbon reduction targets and therefore contributes to a reduction of environmental risks by reducing pollution.
- **Growing Our Economy in a Sustainable Manner:** The development would have a positive effect in terms of construction jobs and the renewable energy industry. In addition, the turbine would generate its own renewable energy.

Impact on the character and appearance of the area

The new turbine would be located on agricultural land above the valley floor, and it is undeniable that it would represent a considerable change of appearance to this part of Rhiwfeilin Fach Farm and have prominence in the immediate landscape, together with that impact already caused by existing 'daffodil' turbine a short distance away.

Although the nature of the development means that the landscape changes would be reversible and temporary, and any waste generated, or noise and disturbance caused would only be during construction or deconstruction of the turbine and ancillary structures, the projected operational life of the turbine would be for a period of approximately 25 years.

The comments received from the three objectors recognise this significant long-term conspicuous impact and although concerns about the potential for further wind or solar developments in this area are noted and are not germane to the consideration of this single proposal, it is clear that on-shore wind development divides opinion both in principle and in terms of where such developments are best located.

One of the objectors has highlighted that the SLA, within which the turbine would sit, was designated due to its relationship with Llantrisant and that it is "relatively un-spoilt small-scale pre-industrial pastoral landscape". These concerns are acknowledged but have to be set against the direction of the national policy framework.

In addition to the area being 'pre-assessed' as suitable for its landscape impact by the Welsh Government, Policy 17 of FW2040 only discounts National Parks and AONBs as being unsuitable for large scale wind and solar development sites, but "outside of these areas a positive policy framework exists".

Furthermore, the Welsh Minister's letter MA-P/CS/1303/16, regarding green growth, advises that visual and amenity impact on surrounding communities and properties is an important issue, but "planning decisions need to be taken in the wider public interest and in a rational way, informed by evidence, where these issues are balanced against other factors".

Taking the above into account, the recommendation to Members is that national planning policy should be afforded significant weight in determining whether the visual impact of the development is acceptable, and that in this case the wider public and environmental benefit is sufficient to outweigh the aforementioned concerns.

Lastly, Members will have noted that the proposed external finish of the turbine is a green and yellow finish to match that of the existing turbine. Prior to submission the Applicant was advised, informally, that this might be preferable than having one coloured turbine and another of a plain light colour in close proximity to each other. However, should Members prefer the latter, then a further condition can be added to seek the approval of such details prior to construction.

Impact on amenity

In this regard one of the key matters for consideration is that of noise. The Noise Report produced for the Applicant advises that it conforms to UK Government guidance known as ETSU-R-97 and associated good practice guidance from the Institute of Acoustics.

The test applied to this location was whether predicted operational noise from the turbine, at nearby noise sensitive properties, would be below ETSU-R-97 noise limits. Noise limits were established for three Existing Sensitive Receptors (ESRs) at Llwynau, Rhiw Felin Fach and TriNant.

The report concluded in normal mode the candidate turbine model used would not exceed noise limits at any of the ESRs and the operation of the wind turbine noise is therefore not predicted to have a significant impact and should not be a reason for refusal.

In other respects, the location of the turbine means that it would be unlikely to have a direct impact on residential amenity via a change to outlook or due to any other physical attributes, although the turbine would be visible from further afield, particularly properties on the north and western fringes of Llantrisant and Beddau around 2km away (approx. 1.2 miles).

Access and highway safety

The proposed turbine would be located on land at Rhiwfelin Fach Farm to the east of Llantrisant Road.

A single wind turbine was recently erected on land to the west of Llantrisant Road which was delivered and constructed with minimal impact to the public highway. As such, no fundamental problems are foreseen with the delivery and erection of this turbine, in terms of access and highway safety.

Nevertheless, standard conditions are recommended regarding a traffic management plan during delivery of abnormal loads, details of access arrangements and a condition survey of the highway along Llantrisant Road.

Ecology and Environment

During consultation NRW highlighted a concern that the underground cable from the turbine would cross beneath agricultural fields, the Nant Muchudd and Llantrisant Recycling Centre.

Consequently, it was considered that the cable route and associated works could impact the Nant Muchudd and structures at Llantrisant Recycling Centre, including leachate tanks, settlement lagoons and an interceptor, and might pose a risk of pollution.

However, a method statement prepared by DT Civils Ltd., dated 28th July 2021, identifies the cable route under the Nant Muchudd and Llantrisant Recycling Centre would be installed via directional drilling/moling, which would not require excavation of open trenches, disturbance of the stream bed or surface areas in the recycling centre. On this basis NRW was satisfied, subject to the method statement being included within a condition.

In other respects, NRW requires conditions for the submission of a Construction Environmental Management Plan, a Water Quality Monitoring Plan and, should unexpected contamination be found, that a remediation strategy is submitted.

With regard to European Protected Species, NRW has noted that the survey work forming part of the submitted Ecological Assessment found a minimum of six species of bat which are known to be at risk of collision with turbines, and has recommend that specific documents, including this Assessment, are referenced within a condition. In this case condition 2 identifies the approved plans and documents, should consent be granted.

In addition, the Council's Ecologist has confirmed that the Applicant's proposals for biodiversity mitigation and enhancement are acceptable. This proposal comprises a Habitat Management Plan for Target Note Area 2 as outlined within the Ecological Assessment.

This commitment specifically relates to enhancement of the wetter grassland through fencing, covering an area of approximately 500m², and reduced management of vegetation in the protected area to allow natural regeneration of the habitat.

Heritage

The relationship and likely impact of the proposed turbine upon the following scheduled monuments has been assessed by Cadw:

GM065 Rhiw Season Caerau
GM074 Llantrisant Castle
GM219 Lle'r Gaer
GM280 The Beacons Round Barrows
GM406 Tarren Deusant Sculptured Rock & Spring

Cadw has advised that it agrees with the findings of the Applicant's Heritage Assessment, prepared by EDP. The Assessment concludes that whilst the proposed wind turbine may be visible from these scheduled monuments, it will not have any effect on the way they are experienced, understood and appreciated, and will not affect their setting.

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).

Section 106 Contributions / Planning Obligations

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

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

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

Welsh Office Circular 13/97 Planning Obligations provides procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and when it meets the three tests above. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is only intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

In this case the proposed development would result in the construction of a wind turbine and associated infrastructure, on a greenfield site.

Therefore, a S106 agreement will be required for a Habitat Management Plan to deliver the necessary ecological mitigation and enhancement in Target Note Area 2, as outlined further above.

Conclusion

It is considered the principle of the proposed wind turbine would be in accordance with national planning policy for renewable energy developments. It would not have a detrimental impact of enough significance upon the character and appearance of the locality, including that of the Llantrisant Conservation Area and closest scheduled monuments to warrant a recommendation of refusal, and would not be harmful to the amenity of the nearest neighbouring occupiers. The application is therefore considered to comply with PPW11, FW2040 and Policies AW5, AW6, AW7, AW8, AW10 and AW12 of the Local Development Plan.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and documents:
 - DT Civils Ltd., DTC-J1156-001, Method Statement (dated 28th July 2021)
 - Rhiwfelin Fach Wind Turbine Ecological Assessment prepared by BSG Ecology, Version: FINAL (dated 16 April 2021)
 - Land at Rhiwfelin Fach Farm Planning Statement prepared by Lichfields (dated April 2021)
 - Proposed Site Plan drawing prepared by Knight Frank, Drawing Number IR-201 (dated 18 February 2020)
 - Substation/Switchgear Building drawing prepared by Infinite Renewables, Drawing Number IR-Rhiw-902 (dated 10/03/2021)
 - Indicative Proposed Elevation drawing prepared by Infinite Renewables, Drawing Number IR-Rhiw-901 (dated 10/03/2021)

and documents received by the Local Planning Authority on 5th May 2021, 1st June 2021 and 2nd August 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. The permission hereby granted shall endure for a period of 25 years from the date when electricity is first exported from the development hereby approved to the electricity grid network ('First Export Date'). Written confirmation of this shall be provided to the Local Planning Authority within one month of the First Export Date.

Reason: In the interest of visual amenity, in accordance with Policies AW5, AW8 & AW12 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence until full surface water drainage details have been submitted to and approved in writing by the Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

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

5. No development shall commence until a site-wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include, but not be limited to:

- Soil Management: details of topsoil strip, storage, and amelioration for re-use.
- Construction methods: how waste generated will be managed.
- General Site Management: details of the construction programme including timetable, details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.

- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

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

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

6. No development shall commence until a water quality monitoring plan for the protection of water quality in the watercourses has been submitted to and approved in writing by the Local Planning Authority. The water quality monitoring plan should include:

- Details and frequency of the monitoring methods.
- Details of triggers for specific action and any necessary contingency actions, for example the need to stop work.

The water quality monitoring plan shall be carried out in accordance with the approved details during the site preparation and construction phases of the development.

Reason: To protect water quality and ensure protection of the natural environment during construction and to ensure the protection of habitats and species in accordance with Policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Prior to the commencement of the development a report indicating the methodology for undertaking a survey of the condition of the access route along Llantrisant/Pantybrad Road affected by the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report should include, but not be limited to:

- a) details of the road to be surveyed;
- b) the timescales for undertaking the surveys; and
- c) the method(s) of reporting the findings to the Local Planning Authority (including the use of comprehensive photographs), and any potential compensation arrangements.

The wind turbine hereby permitted shall not become operational until the final survey on completion of the development hereby approved has been carried out and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety,

in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall take place, including any works of site clearance, until a Traffic Management Plan (TMP) has been submitted and approved in writing by the Local Planning Authority to provide for;
- a) Convoy Length (number of vehicles including emergency services and escorts);
 - b) Traffic Management (during transportation of abnormal loads);
 - c) Structures (over bridges height, width, weight restrictions);
 - d) Highway works (including all temporary works to public highway to facilitate access and reinstatement works including timescales);
 - e) Dry Run (to be witnessed by highway authority and police);
 - f) Temporary Traffic Regulation Orders; and
 - g) Emergency Contingencies.

The approved Construction Traffic Management Plan / 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 highway safety and to ensure safe and satisfactory delivery of all components, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. Prior to the beneficial use of the development, a Decommissioning Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Decommissioning Plan shall include details of the works necessary to revert the site to its original agricultural condition, including; the method for the removal of the turbine, structures, enclosures, equipment and all other apparatus above and below ground level from the site and details of their destination in terms of waste/recycling, and details of how the site is to be restored to its original condition and any financial arrangement for this. The decommissioning 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.

10. Within 25 years and six months following completion of construction of the development, or within six months of the cessation of electricity generation by the wind turbine, or within six months following a permanent cessation of construction works prior to the wind turbine coming into operational use, whichever is the sooner, the turbine, structures, enclosures, equipment and all other apparatus above and below ground level hereby approved shall have been dismantled and removed from the site. The developer shall notify the Local Planning Authority, in writing, no later than five working days following cessation of power production.

The site shall subsequently be restored (in accordance with the scheme required by Condition 9) no later than six months following the cessation of power production or within 25 years and six months of the completion of construction, whichever is the sooner.

Reason: In the interests of visual amenity and ensure that any derelict or obsolete features do not adversely affect the environment in accordance with Policies AW5, AW8, AW12 and SSA23 of the Rhondda Cynon Taf Local Development Plan.

11. No development shall commence until design and details of the means of access off Llantrisant Road have been submitted to and implemented to the satisfaction of the Local Planning Authority.

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

12. 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. The 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 risks, in accordance with Policy AW10 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: 21/0864/15 (GH)
APPLICANT: Infinite Renewables Group Ltd
DEVELOPMENT: Variation of condition 2 (plans) of planning permission 17/0321/10, to reduce hub and tip height of turbine. (Amended plan with new turbine type received 9th August 2021).
LOCATION: LAND ADJ. TO FORMER NANT-Y-GWYDDON LANDFILL SITE
DATE REGISTERED: 09/08/2021
ELECTORAL DIVISION: Llwynypia

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The application site already benefits from an extant planning consent for the erection and operation of a single wind turbine. Furthermore, the revised turbine type, having a reduced hub and tip height, would result in a reduced visual impact.

Since the determination of the original application no new material planning issues have arisen and there have been no material changes in respect of planning policy or the context of the site that would justify a recommendation other than one for approval.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillors Lorraine Jones and Elyn Stephens for the matter to come to Committee due to concerns that the membrane lining the landfill and other pollution prevention infrastructure could be compromised if the development was to proceed.

APPLICATION DETAILS

This application is made under Section 73 of the 1990 Planning Act and seeks variation of condition 2 of an existing planning permission (reference 17/0321/10) which was granted on 22nd August 2017, for a wind turbine on land adjacent to the former Nant Y Gwyddon Landfill Site.

Condition 2 of the planning permission states:

The development hereby approved shall be carried out in accordance with the approved plans no's and documents received by the Local Planning Authority on:

- *Nant-y-Gwyddon Wind Turbine: Figure 2.1 – Site Context (dated 14.10.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.2 – Planning Application Boundary (dated 3.10.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.3 – Illustrative Site Layout (dated 14.10.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.4 – Indicative Grid Connection Cable Route (dated 6.3.2017).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.5 – Typical Wind Turbine Details (dated 28.9.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.6 – Typical Turbine Foundation Design and Construction Details (dated 28.11.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.7 – Typical Internal Access Track & Crane Pad Construction Details (dated 28.9.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.8 – Typical Transformer and Substation Typical Details (dated 28.9.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.9 – Indicative Construction Vehicle Access Route (dated 28.11.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 4.1 – Site Closure Plan and Turbine Site Layout Plan (dated 7.3.2017).*

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 seeks the variation to this condition, to reflect an amendment to the hub and tip height of the proposed wind turbine, by the substitution of the fifth bullet point above, with:

- *Nant-y-Gwyddon Wind Turbine: Indicative Proposed Elevations (drawing no. V-82 902)(dated 29 July 2021)*

The proposed *Vensys* 1.5MW turbine would now have a hub height of 58m, tip height of 99m and rotor diameter of 82m. This is shorter than the approved turbine which would have had a hub height of 85m and tip height of 121.5m.

In all other respects the proposed development is the same as per the previously approved details.

SITE APPRAISAL

The application site consists of a small parcel of land situated within the landholding of the former Nant-y-Gwyddon landfill site, located approximately 1km south of the main settlement of Gelli. Whilst the site is located within the former Nant-y-Gwyddon Landfill site, the turbine would not be sited within an area which has been historically landfilled. The site is located within an area previously excavated in preparation of engineering works for landfilling operations. However, this area of the site was never landfilled and the Nant-y-Gwyddon landfill ceased operations in 2002.

As noted above, the urban areas of Gelli and Clydach Vale lie approximately 1km to the north and approximately 880m to the south of the site respectively. The closest residential receptors are Oak Street located approximately 540m to the south and Rock Drive Farm which is located approximately 760m north west of the proposed turbine location. Beyond the extent of the former landfill site are areas of open countryside, with Bwlfa Farm being situated to the west of the site, a turbine of 77 metres in height has been erected on this holding. The urban area of Llwynypia lies approximately 1.7km east of the site.

The site is accessed via a long access track which connects to the B4223 Nantygwyddon Road. The proposed development will utilise the existing landfill access point off Nant-y-Gwyddon Road, however within the site it is proposed that a new section of access track be constructed to allow access directly to the location of the turbine. The wider site is crossed by a Public Right of Way YST/18/2.

PLANNING HISTORY

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

- 17/0321/10:** The erection, 25 year operation and subsequent decommissioning of a wind turbine with a maximum overall tip height of 121.5m, 20m micro-siting, new and upgraded access tracks, hard standing areas, control building/substation, transformer housing and cabling. Decision: 22/08/2017, Grant.
- 05/1011/15:** Variation of Condition No. 3 of 04/2394 to vary the operational hours at Nant-Y-Gwyddon Landfill site. Decision: 22/07/2005, Grant

- 04/2394/10:** Revision to the approved restoration landform at Nant Y Gwyddon. Decision: 01/04/2005, Grant
- 00/2647/10** Replacement 315mm diameter leachate pipe, Decision: 02/02/2001, Grant
- 96/6334/10** Landfill gas extraction pipe. Decision: 18/03/1997, Grant

PUBLICITY

The application, based on the amended plans received on 9th August 2021, has been advertised by direct notification to sixty-seven neighbouring properties and notices were displayed on site at seven locations.

No letters of objection or representation have been received.

CONSULTATION

Highways and Transportation

The change to the approved plans comprises an amendment to the hub and tip height of the proposed wind turbine. The proposed turbine would have a hub height of 58m and tip height of 82m, which is lower than the approved turbine with a hub height of 85m and tip height of 121.5m.

There is no objection to the proposal subject to the re-imposition of previous planning conditions.

Flood Risk Management

I have looked at the information provided for this application submitted for a variation of condition 2 to reduce hub and tip height of the turbine and from a flood risk perspective I no comments to offer.

Natural Resources Wales

We have no objection to the proposed development as submitted and provide the following advice:

It is proposed to amend condition 2 of 17/0321/10 such that the approved plan Nant-y-Gwyddon Wind Turbine: Figure 2.5 – Typical Wind Turbine Details (dated 28.9.2016) is substituted with the submitted Indicative Proposed Elevations Drawing, Drawing No.: V-82 902, prepared by Infinite Renewables, dated 29/07/2021. We understand the proposed change to the approved plans will result in a reduction in hub height and tip height of the proposed wind turbine. We have no adverse comments to make in relation to this.

Dwr Cymru Welsh Water

We have no objection to the variation of Condition 2 to reduce the hub and tip height of the turbine.

Cadw

Having carefully considered the information provided, we have no objection to the proposed development in regard to the scheduled monuments listed in our assessment of the application below:

GM099 Mynydd Maendy Hillfort
GM354 Mynydd y Gelli kerb cairn
GM540 Mynydd Ton Cairns
GM574 Mynydd Ty'n-tyle cairns
GM575 Tarren Maerdy cairn (E)
GM576 Tarren Maerdy cairn (W)

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies outside of settlement limits.

Policy CS1 - outlines how the emphasis on building strong, sustainable communities will be achieved in the Northern Strategy Area.

Policy CS10 - defines safeguarding areas for mineral resources.

Policy AW5 - supports development proposals where amenity and accessibility matters are addressed.

Policy AW6 - supports development proposals where certain design and place making criteria are met.

Policy AW10 - does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of a number of matters including light and noise pollution.

Policy AW12 - permits renewable energy schemes including small/medium sized wind turbines where there is no unacceptable effect upon the interests of certain matters including agriculture, nature conservation, cultural heritage, landscape importance, public health and residential amenity. Minimisation of resource use should also be included. For this policy small clusters of no more than 3 larger wind turbines up to 1.5 MW and community based schemes of no more than 5MW capacity are treated as small wind turbine developments.

Policy AW14 - safeguards the resources of sandstone from any development which would unnecessarily sterilise or hinder their extraction.

Supplementary Planning Guidance

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

National Guidance

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

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

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

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

- Policy 1 – Where Wales will grow – investment in infrastructure
- Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 11: Noise

WG Practice Guidance – Planning Implications of Renewable and Low Carbon Energy (February 2011)

WG 'Dear CPO' letter MA-P/CS/1303/16 re: Green Growth (15th March 2016)

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 and material considerations

The previous planning application for the site ref: 17/0321/10, for which the variation of condition is now sought, was reported to the Council's Planning and Development Committee with an officer recommendation for approval.

The earlier Committee report noted that at UK and Welsh Government level there is strong support for renewable and low carbon energy, with specific targets set for the reduction in greenhouse gases and energy generation from on-shore wind development. The exploitation of wind power is promoted at all policy levels.

In the intervening years national planning policy has become more supportive of on-shore wind development. Paragraph 5.9.19 of PPW11 advises that planning authorities should take into account the benefits to renewable energy targets, the reduction of greenhouse gases, and the wider environmental, social, and economic benefits and opportunities from renewable and low carbon energy development.

Specific direction for planning authorities, regarding renewable energy projects, is set out within Policy 17 of FW2040, which states: "in determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency".

Although this site does not fall within the 'pre-assessed area' identified by Policy 17 where the landscape impact of large scale wind farm development has been identified as being acceptable in principle, FW2040 clearly states that a "positive policy framework still exists".

In light of the above and given the scope of the application, Members are advised that there have been no material local or national policy revisions, or changes to the context of the site, that would justify revisiting or reconsidering the principle of the development and that would warrant a different conclusion.

In addition, the reduction of the size of the turbine is welcomed in that its visual impact would be lessened; albeit it is recognised that the scale of such a structure is bound to have prominence. Nonetheless, in terms of the overall landscape impact, the fact that the turbine would be smaller than that already approved means that an argument to refuse consent would not be a sustainable one.

Lastly, there is a clear concern that the works to erect the turbine, and in particular the cabling and associated paraphernalia, could disturb the protective infrastructure on site that was installed for the purpose of managing leachate and landfill gas.

This matter was considered and addressed as part of the earlier application, the Committee report noting that the application was accompanied by a range of supporting material, including reports relating to hydrology, geology, hydrogeology and flood risk assessments. These concluded that although the proposed development would be within the landholding of a landfill site, the area where the turbine would be located has not been landfilled and therefore it is considered possible that the risks associated with contamination can be adequately managed.

At the time of determination of application 17/0321/10 NRW identified that landfill infrastructure exists on the site, both above and below ground. It was noted that the connection cable would lie within the access track but would cross the leachate pipework and travel close to a number of groundwater monitoring points. NRW also anticipated that there would be landfill gas and capping infrastructure to the south side of the access road.

Since the cabling associated with the turbine appears to terminate at the landfill gas compound NRW advised that excavation in this area and any overlap with landfill infrastructure should be undertaken with great care to ensure that the integrity of leachate and landfill gas pipework is not compromised during construction.

NRW recommended the use of conditions to control such matters and these conditions, specifically no's 19, 20 and 21 which will require the developer to demonstrate that the landfill infrastructure will not be compromised and for the submission of a site investigation, have been included below.

Whilst the concerns in respect of the past use status of the site are appreciated and understood, from a planning point of view and in light of NRW's original and current consultation response, no additional material issues have been raised. Therefore, this cannot be considered as a matter relevant to the scope and consideration of this application, which is whether or not the revised turbine type represents an acceptable substitution.

Consequently, this variation of condition application is considered to be acceptable, subject to the relevant conditions being carried forward from the existing consent.

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

Having taken account of all of the issues outlined above and in light of the planning history of the site, the application proposal is considered acceptable.

Since planning consent was granted on 22nd August 2017, there have been no material changes in circumstances of significance to warrant a refusal of consent, and no new issues relating to the site have arisen.

Therefore, the proposal to vary condition 2 in order to substitute a smaller turbine type is recommended for approval, subject to the other conditions specified below being carried over from the existing planning consent.

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 plans and details:
 - *Nant-y-Gwyddon Wind Turbine: Figure 2.1 – Site Context (dated 14.10.2016).*
 - *Nant-y-Gwyddon Wind Turbine: Figure 2.2 – Planning Application Boundary (dated 3.10.2016).*
 - *Nant-y-Gwyddon Wind Turbine: Figure 2.3 – Illustrative Site Layout (dated 14.10.2016).*
 - *Nant-y-Gwyddon Wind Turbine: Figure 2.4 – Indicative Grid Connection Cable Route (dated 6.3.2017).*
 - *Nant-y-Gwyddon Wind Turbine: Indicative Proposed Elevations (drawing no. V-82 902)(dated 29 July 2021)*
 - *Nant-y-Gwyddon Wind Turbine: Figure 2.6 – Typical Turbine Foundation Design and Construction Details (dated 28.11.2016).*
 - *Nant-y-Gwyddon Wind Turbine: Figure 2.7 – Typical Internal Access Track & Crane Pad Construction Details (dated 28.9.2016).*

- *Nant-y-Gwyddon Wind Turbine: Figure 2.8 – Typical Transformer and Substation Typical Details (dated 28.9.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 2.9 – Indicative Construction Vehicle Access Route (dated 28.11.2016).*
- *Nant-y-Gwyddon Wind Turbine: Figure 4.1 – Site Closure Plan and Turbine Site Layout Plan (dated 7.3.2017).*

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

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

3. The permission hereby granted shall endure for a period of 25 years from the date when electricity is first exported from a wind turbine within the site to the electricity grid network ('First Export Date'). Written confirmation of the First Export date shall be notified in writing by the developer to the Local Planning Authority within one month of the First Export Date.

Not later than 12 months before the expiry date of the permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. Such a scheme will include for:

- the removal of all surface elements, plus one metre of the turbine bases below ground level, of the wind farm;
- confirmation of the management and timing of works;
- a traffic management plan to fully address highway issues during the period of the decommissioning works;
- any other works of restoration and aftercare, following consultation with other parties, as the Local Planning Authority deem to be reasonable and necessary.

The approved decommissioning schemes shall be implemented and completed within 24 months of the expiry date of this permission.

Reason: To ensure derelict or obsolete structures do not adversely affect the environment in accordance with Policies CS1, AW5, AW7, AW8, AW13 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

4. Operations shall not be commenced until details of the colour and external finish of the turbine and associated structures, 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 in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. The turbine shall not display any prominent name, logo, symbol, sign or advertisement on any external surface unless otherwise agreed in writing by the Local Planning Authority. The turbine shall not be illuminated and there shall be no permanent illumination on the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity in accordance with Policies AW12 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

6. In the event that the turbine does not function (i.e. does not supply electricity to the grid) for a continuous period of 12 months and if so instructed by the Local Planning Authority; the wind turbine and its associated ancillary equipment shall be dismantled, and its base removed to a depth of one metre below ground level, and removed from the site within a period of 6 months from the end of that 12 month period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the turbine is not obsolete, produces electricity whilst in situ and is removed from the site if it ceases to function, in accordance with Policies CS1, AW5, AW7, AW8, AW12 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

7. All electricity and control cables between the turbine and the switch room shall be laid underground, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise environmental impact in the vicinity of the site in accordance with Policies AW12 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

8. Construction work on the site, excluding the delivery of abnormal loads and actual erection of the wind turbine, shall be confined to the hours of 0700 - 1900 Mondays to Sundays unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise impact on the amenities of local residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. No abnormal load delivery shall take place between the hours of 0700 – 0900 and 1600 – 1800 Monday to Friday unless otherwise agreed in writing by the Local Planning Authority.

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

10. The noise emission from the wind turbine shall not exceed a sound pressure level LA90,10min of 35Db(A) at the curtilage of any non-financially involved noise sensitive premises lawfully existing at the time of this consent at wind speeds up to and including 10 m/s at 10m height. For the purpose of this condition, curtilage is defined as “the boundary of a lawfully existing domestic garden area”.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. At the reasonable request of the Local Planning Authority (LPA), following a complaint to it about noise emissions from the wind turbine, the wind turbine operator shall, if required shut down the turbine and at their own expense, employ a suitably competent and qualified person, approved by the Local Planning Authority, to measure and assess, and report to the Local Planning Authority the level of noise emissions from the wind turbine at the property to which relates (‘the complainant’s property’) in a scheme to be agreed with the Local Planning Authority. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the Local Planning Authority.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. If the assessment (referred to in condition 11) requested by the Local Planning Authority demonstrates that the specified level is being exceeded, the operator of the turbine shall take immediate steps to ensure that the noise emissions from the turbine are reduced to, or below, the specified noise limit. The operator shall provide written confirmation of that reduction to the Local Planning Authority within a time period to be agreed with the Local Planning Authority. In the event that it is not possible to achieve the specified noise limit with mitigation within a reasonable time period, then the operation of the turbine shall cease.

The measurement time period shall be based on BWEA blade length calculation (para 3.4(1) $t=4 \times D$ seconds) where t = measurement time period in seconds (subject to a minimum period of 10 seconds) D = rotor diameter in metres.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. In the event of an alternative turbine to that contained in the submitted noise assessment (reference) being chosen for installation, then development shall not take place until a new desktop site specific noise assessment of the proposed turbine has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. Wind speed, wind direction and power generation data for the wind turbine shall be continuously logged and provided to the Local Planning Authority at its request and in accordance with the attached guidance notes within 28 days of any such request.

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. At the reasonable request of the Local Planning Authority, following a complaint to it about shadow flicker from the wind turbine, the operator of the wind turbine shall, if required shut down the turbine and at its expense, employ a consultant approved by the Local Planning Authority, to measure, assess and report to the Local Planning Authority the level of shadow flicker generated by the operation of the wind turbine at the property to which relates ('the complainant's property') in a scheme to be agreed with the Local Planning Authority. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the Local Planning Authority.

If the assessment requested by the Local Planning Authority demonstrates unacceptable levels of shadow flicker, the operator of the turbine shall take immediate steps to provide mitigation to ensure that the impacts are reduced to an acceptable level. The operator shall provide written confirmation of that scheme of mitigation and timescale for its implementation, to the Local Planning Authority within a time period to be agreed with the Local Planning Authority..

Reason: To protect the amenity of residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

16. No development shall take place until a Species and Habitat Protection and Mitigation Plan for Construction has been submitted and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, reptiles, etc.);
- d) Details of specific species and habitat mitigation measures;
- e) Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Specific species and Habitat Mitigation measures
 - vii) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority.

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

17. Development shall be undertaken strictly in accordance with the requirements contained within the Great Crested Newt Working Method Statement, produced by Ecology Resources Ltd. Date March 2017.

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

18. No development shall take place until the details of the process of reporting incidental bat and bird strikes to the Local Planning Authority has been agreed in writing with the Local Planning Authority. Thereafter, the required reports shall be provided to the Local Planning Authority in accordance with the agreed details.

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

19. Prior to the development commencing, component 1 below of a scheme to deal with the risks associated with pollution and or damage to landfill infrastructure at the site shall be submitted to and approved, in writing, by the

Local Planning Authority: Component 2 shall be submitted to and approved, in writing, by the local planning authority prior to the development being used for generating electricity other than for commissioning or trials.

1. The developer shall submit proposals for the excavation of the cable trench, construction of turbine and crane pads, when proximal to landfill infrastructure (landfill gas, leachate pipework and groundwater monitoring wells) to ensure that they are protected and effectively maintained/replaced. This should be in the form of a Maintenance and Care Plan (MCP) prepared by an independent CQA engineer (CQAE) familiar with landfill infrastructure.
2. The developer will engage an independent CQAE to ensure supervision of the excavation of the cable trench in areas identified in the MCP as at risk. A verification report demonstrating effective completion of the works set out in the approved MCP.

Reason: To ensure the landfill infrastructure (landfill gas, leachate pipework and groundwater monitoring wells) and the development are afforded adequate protection in accordance with Policy AW10 of the Rhondda Cynon Taf Local development Plan.

20. Prior to the development commencing, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified;
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The landfill and ground gas emissions should be assessed to ensure that the foundation, utility service entry points and enclosed spaces within the development are afforded adequate gas protection measures either directly from landfill gas or indirectly from leachate. Alternatively, protection measures should be included in the design in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: Although a typical design is shown to be a reinforced concrete pad, the actual design is not confirmed. The condition is required to ensure the development and environment is afforded adequate protection from landfill gas and leachate in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

22. No development shall take place until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Local Planning Authority. Any temporary mitigation measures affecting public highway shall be implemented prior to transportation of the abnormal loads and reinstated upon completion of the development. The TMP shall include the following:-

- a) Swept Path Analysis (showing full route and mitigation measures);
- b) Component size (width, height, length, weight);
- c) Convoy Length (number of vehicles including emergency services and escorts);
- d) Traffic Management (during transportation of abnormal loads);
- e) Structures (over bridges height, width, weight restrictions);
- f) Highway works (including all temporary works to public highway to facilitate access and reinstatement works including timescales);
- g) Dry Run (to be witnessed by highway authority and police);
- h) Temporary Traffic Regulation Orders; and where residents displaced parking would take place without impacting on free flow of traffic and highway safety.
- i) Emergency Contingencies.

Reason: In the interests of highway safety / to ensure safe and satisfactory delivery of all components in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

23. Prior to the commencement of the development, a report indicating a methodology for undertaking a condition survey of local roads including the site access road to Nant-Y-Gwyddon Road B4223 to the A4058 shall be submitted to and approved in writing by the Local Planning Authority. The report should include: the timescales for undertaking the surveys and the method(s) of reporting the findings to the Local Planning Authority; comprehensive photographs; and potential compensation arrangements. The development shall not be brought into use until the final survey (on completion of the development hereby approved) and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

24. 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.

25. In the interests of air safety, the turbine shall be fitted with aviation lighting. The turbine should be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of air safety in accordance with Policy AW12 of the Rhondda Cynon Taf Local Development Plan.

26. No development shall take place until full drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The turbine shall not be brought into use until drainage arrangements have been completed in accordance with the approved details.

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

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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: 21/1086/10 (KL)
APPLICANT: Bunch of Grapes Ltd
DEVELOPMENT: Proposed extension, internal alterations, conversion of existing detached cold store to an on-site micro brewery and installation of PV solar panels on main roof
LOCATION: BUNCH OF GRAPES PUBLIC HOUSE, 40 YNYSANGHARAD ROAD, PONTYPRIDD, CF37 4DA
DATE REGISTERED: 05/08/2021
ELECTORAL DIVISION: Trallwn

RECOMMENDATION: Approve

REASONS: The proposed extensions and associated works are acceptable in terms of their scale, design and overall visual appearance. The scale of the new additions would be extremely minor whilst the overall design of the rear of the building would be much improved in comparison to its current ad hoc appearance. The works would not result in the intensification of the existing and historical use of the property as a public house and it is therefore not considered that the level of noise and disturbance currently experienced by residents would be significantly increased. As such, it is not considered that the proposal would have an adverse impact upon the character and appearance of the application property or the surrounding area, or upon the amenity and privacy of surrounding properties. Furthermore, the proposed works would not have any undue impact upon highway or pedestrian safety in the vicinity of the site and the application is therefore considered to comply with the relevant policies of the Local Development Plan.

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 construction of a single storey extension to the existing Public House as well as the construction of a replacement detached

outbuilding for use as a microbrewery. The proposal also includes the installation of photovoltaic solar panels on the roof of the main building.

The proposed extension would be sited at the rear of the building, extending the existing conservatory area (conservatory 2, as detailed on the existing plans) out by 0.8 metres and squaring off the corner of the food preparation area which would protrude beyond the extended conservatory by 1.7 metres (to be in-line with the rear elevation of the existing single storey extension. A further extension would be constructed at the eastern elevation (conservatory 1) which would protrude beyond the side wall of the main building by 1.2 metres, in-line with the existing wall of the outside drinking area. A new flat roof measuring between 3.8 and 4.3 metres in height (changes due to differences in ground levels) would be constructed above the existing and proposed extensions at the rear. The extensions would be finished with a mixture of stone and timber cladding.

The existing outbuilding at the rear of the site is proposed to be demolished with a new single storey structure being constructed in its place. The outbuilding would be used as an ancillary micro-brewery. The structure would have an irregular shaped footprint, measuring a maximum of 10.9 metres in width by a maximum of 5.1 metres in depth. It would incorporate a mono-pitch roof which would measure a maximum of 3.2 metres in height. External materials would consist of timber cladding.

The proposal also includes the installation of photovoltaic solar panels to the rear roof slope as well as a number of internal alterations and refurbishment works to provide a reconfigured internal layout.

SITE APPRAISAL

The application site relates to an existing public house and its associated amenity/parking areas which is situated on the outskirts of Pontypridd town centre. The public house building has a frontage onto Ynysangharad Road (to the north) with an outdoor area, a small outbuilding and a car park to the rear. Access to the car park is alongside the eastern elevation of the building, off Ynysangharad Road.

The main building is of a traditional stone fronted design, including detailed timber windows and doors however, a more modern two-storey annexe is located to the western side with a further single storey extension and conservatory being sited to the rear.

The surrounding area is predominantly residential in character with properties in Ynysangharad Road mainly being of a traditional terraced design with some detached and semi-detached dwellings/buildings being located next to and opposite the site. Two no. two-storey detached dwellings and a two-storey block of flats are located to the east and west of the site respectively. The former Glamorganshire Canal is located directly to the rear (south) of the site beyond which is the Brown Lennox Retail Park which is occupied by a number of large retail units.

It is noted that a Public Right of Way (PON/42/1) crosses the site to the east (the access to the car park), with this continuing along the rear boundary. It is understood that the section to the rear of the site was formerly the tow path of the former canal.

Three no. listed structures are also located directly to the rear of the site along this section of the former canal (lock chambers 31 and 32 with attached walls, the bridge over the canal and the canal basin). It is also noted that the former Mission Hall to the front of the site is a listed building.

PLANNING HISTORY

The following planning applications are on record for this site:

19/0086	Bunch of Grapes, Ynysangharad Road, Pontypridd	Replacement rear extension and external alterations including PV solar panels to main roof.	Granted 28/03/19
10/1066	Bunch of Grapes, Ynysangharad Road, Pontypridd	Solar panels to rear annex roof	Granted 29/11/10
03/1584	Bunch of Grapes, Ynysangharad Road, Pontypridd	Extension to kitchen, wash-up and cellar	Granted 07/11/03
97/2018	Bunch of Grapes, Ynysangharad Road, Pontypridd	Extend existing ground floor gents toilet	Granted 18/04/97
94/0022	Bunch of Grapes, Ynysangharad Road, Pontypridd	Provision of second gents toilet, conservatory over existing patio and internal alterations	Granted 15/03/94
91/0026	Bunch of Grapes, Ynysangharad Road, Pontypridd	Rear extension	Granted 15/03/91
87/0344	Bunch of Grapes, Ynysangharad Road, Pontypridd	Proposed extension to bar area with new toilet, conservatory and refurbishment to existing bar area	Granted 05/06/87
80/0689	Bunch of Grapes, Ynysangharad Road, Pontypridd	Conversion of existing single storey store/barn/coal shed	Refused 29/07/80

PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of site notices in the vicinity of the site. A press notice was also

published in a local newspaper. No letters of objection or representation have been received as a result of this exercise.

CONSULTATION

Countryside, Landscape and Ecology: No objection

Highways and Transportation: No objection or conditions recommended.

Public Health and Protection: No objection subject to standard conditions relating to hours of operation, noise, dust and waste.

Public Right of Way Officer: It is advised that no part of the development must interfere with or obstruct the Public Right of Way. It may be necessary for the applicant to apply for a temporary closure order for the duration of the works.

Welsh Water: No objection. The comments note that the site is crossed by a public sewer. It is advised that the sewer be accurately marked out on site before works commence on site and that no operational development will be permitted 3 metres either side of the centreline of the sewer.

No other consultation responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located inside the defined settlement boundary and is unallocated. The following policies are considered to be relevant in the determination of this application:

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 AW7 - identifies that proposals which impact upon sites of architectural or historic merit or affect areas of public open space, allotments or public rights of ways, bridleways and cycle tracks will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area.

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

Supplementary Planning Guidance

Design and Placemaking
The Historic Built Environment

National Guidance

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

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

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

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;
PPW Technical Advice Note 8: Renewable Energy;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 19: Telecommunications;
PPW Technical Advice Note 23: Economic Development;
PPW Technical Advice Note 24: The Historic Environment.
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

Full planning permission is sought for the construction of two small-scale extensions and associated refurbishment works to the rear of an existing public house. The proposal also includes the construction of an outbuilding to the rear of the site as well as the installation of photovoltaic solar panels on the rear roof slope of the main building.

The application site relates to an existing public house and its associated amenity space and car park that is situated inside of the defined settlement boundary and within walking distance of Pontypridd Town Centre.

Policies CS2 and AW2 of the Rhondda Cynon Taf Local Development Plan support development within settlement boundaries with Policy AW2 further seeking to ensure the development would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable transport options and have good access to key services and facilities.

The surrounding area is predominantly residential in character however, the existing public house at the site is long-established and residents in the vicinity of the site will therefore be accustomed to the presence and operation of the public house. The proposed extensions to the rear of the building are of a small-scale and it is not anticipated that the number of customers visiting the premises would be significantly increased. Furthermore, the provision of a micro-brewery at the rear of the site would be operated in association with the main public house and, given that the way in which the property currently operates would remain the same, it is not considered that the proposal would result in a significant intensification of the existing use.

The extension and refurbishment of the existing public house would provide an uplift to the existing premises and would help to enhance the current provision of the business whilst enhancing the vitality and viability of the nearby Pontypridd town centre. The proposal would also enable a further 3 full-time members of staff to be employed at the site which would be of benefit to the local area.

The site is located in close proximity of the town centre where there is a wide range of sustainable transport options as well as key services and facilities.

Permission has also previously been granted for a similar rear extension and photovoltaic solar panels on the rear roof slope (planning ref. 19/0086) however, these works do not appear to have been carried out.

As such, the principle of the proposal is considered to be acceptable subject to an assessment of the criteria set out below.

Impact on the character and appearance of the area

The proposed extensions would be positioned to the rear of the building and would not impact upon the traditional character of the front elevation or upon the wider street scene at Ynysangarad Road. They would be of a limited scale and would effectively form minor alterations to the existing single storey extensions. This, together with the provision of a singular flat roof design (as opposed to the ad hoc designs of the existing extensions) and the contemporary style and finish of the rear of the building, would provide a more cohesive design that would improve the current character and appearance of the rear elevation. Whilst the contemporary design would be in contrast to the traditional design and finish of the front of the host property, this is a common approach visible in numerous other traditional buildings throughout the County Borough and it is not considered that this would be detrimental to character of the site or the surrounding area.

The proposed outbuilding at the rear of the site would replace a structure of a similar scale and design and it would incorporate materials that would compliment the overall finish of the rear extensions/rear elevation of the main building. It would be sympathetic and subservient to the scale of the existing building and it is therefore considered to be visually acceptable.

The proposed solar panels would be sited on the rear roof slope and would not be visible from the street scene. They would be typical of many other similar features in the wider area and it is not considered that they would form overly prominent additions that would result in a detrimental impact upon the character and appearance of the building or the wider area.

There is some potential for the works, given their siting at the rear of the property, to have some impact upon the listed buildings to the southern boundary of the site however, the proposed works are considered to be of a limited scale and would result in an improvement to the overall visual impact of the host property. Furthermore, the solar panels are relatively minor features and it is not considered that the works would have any undue impact upon the character of the adjacent listed structures.

As such, the proposal is considered to be acceptable in terms of the impact it would have upon the character and appearance of the site and surrounding area and upon the adjacent listed structures and the application would therefore comply with Policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

The application site relates to an existing public house that is located within a predominantly residential area and it is therefore important to consider whether the proposed works would have a detrimental impact upon surrounding residents.

The proposed extensions would be of a limited scale and would not result in the intensification of the existing use of the property as a public house. Residents would already be accustomed to some degree of noise and disturbance as a result of the operation of the existing public house and it is not considered that the extensions would result in any notable increase to that already experienced.

The extension to the conservatory (conservatory 2 to the left-hand side of the rear elevation) would be sited alongside the blank side elevation of a block of flats known as Lock Court. Given its minor scale with a projection of just 0.9 which would not project beyond the rear elevation of the flats and its height of 3.7 metres, it is not considered that the extension would result in any adverse overbearing or overshadowing impact that would be detrimental to the occupants of the flat immediately adjacent. The extension would incorporate a full width bifold door within with the rear elevation however, this would not be too dissimilar to the current arrangement and, with them being sited just 0.9 metres forward of their current location, it is not considered that the level of overlooking towards the neighbouring flats would be significantly increased. The outdoor seating area would be in the same position as the existing area, albeit the balustrading along the perimeter would be altered slightly in terms of its position (it would be squared off rather than being at an angle) and its height (it would be reduced in height from 1.4 metres in height to 0.9 metres in height). There is some concern that the reduction in height of the balustrade would give rise to increased levels of overlooking from the outdoor seating area however, views can currently be achieved from the outdoor seating area with a balustrade height of 1.4 metres and it is therefore not considered that the level of overlooking would be significantly increased.

The proposed extension to conservatory 1 at the eastern end of the building would effectively square off the existing structure, resulting in a projection from the side elevation of the existing building of 1.2 metres. This would inevitably bring the structure closer to adjacent properties to the west (Lock Cottage and Underhill) however, a separation distance of at least 10 metres would be maintained and the extension would also be of a limited single-storey height. It is therefore not considered that this part of the extension would result in any overbearing or overshadowing impact. Furthermore, the extension would see the removal of an existing window and any potential for overlooking would be removed.

The proposed outbuilding at the rear of the site would house a micro-brewery which would be operated in association with the main public house use. The building would be of a similar scale and design to the current outbuilding at the site and it is not considered that it would result in any additional impact upon Lock Court, which is sited immediately to the west of the site.

The proposed photovoltaic solar panels, by their very nature and position on the roof of the building, would not have any impact upon neighbouring properties.

In light of the above, the proposal is considered to be acceptable in terms of the impact it would have upon the amenity and privacy of existing neighbouring properties and the application is therefore considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Access and highway safety

The application has been assessed by the Council's Highways and Transportation Section in order to determine the likely impacts of the proposal upon highway safety in the vicinity of the site. The response received indicates that no objection is raised

to the proposal, nor are any conditions suggested. It is commented that the small-scale nature of the proposal is not likely to increase vehicular movements at the site and no changes are proposed to the existing access points or car parking area that currently serve the establishment.

As such, 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.

Public Right of Way

Public Right of Way PON/42/1 crosses the eastern part of the site and then continues along the rear boundary (outside of the site boundary). Consultation has been undertaken with the Council's Public Rights of Way Officer who has advised that the developer must have due regard to the existence of the Public Right of Way and that it must remain open, accessible and unobstructed during construction. Whilst it is recommended that a method statement be submitted for approval by the Local Planning Authority, planning permission does not authorise the obstruction of, interference to, diversion or stopping-up of a Public Right of Way and separate permission would be required from Council's Public Rights of Way Officer. As the issue can be more effectively controlled by other legislation, it is not considered reasonable or necessary to impose a planning condition in this respect.

Ecology

The proposal would result in the demolition of an existing outbuilding and an alteration to the existing roof of the application property. The application has been assessed by the Council's Ecologist in order to determine the likelihood of bats and it has been confirmed that due to the nature of the buildings (i.e. a simple wooden shed with no loft space or brick/stone walls/flat roof design), the bat roost potential is negligible. As such, no bat survey is required in this instance.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The proposed extensions and associated works are acceptable in terms of their scale, design and overall visual appearance. The scale of the new additions would be extremely minor whilst the overall design of the rear of the building would be much improved in comparison to its current ad hoc appearance. The works would not result in the intensification of the existing and historical use of the property as a public house and it is therefore not considered that the level of noise and disturbance currently experienced by residents would be significantly increased. As such, it is not considered that the proposal would have an adverse impact upon the character and appearance of the application property or the surrounding area, or upon the amenity and privacy of surrounding properties. Furthermore, the proposed works would not have any undue impact upon highway or pedestrian safety in the vicinity of the site and the application is therefore considered to comply with the relevant policies of the Local Development Plan.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 30 July 2021 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 02: Proposed Floor Plans & Elevations
- Drawing No. 03: Proposed Floor Plans & Elevations of Outbuilding
- Drawing No. 04: Proposed 3D Visuals
- Drawing No. 06: Proposed Site Plan
- Drawing No. 07: Site Location Plan

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

3. No development works shall commence on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The extension hereby approved shall not be brought into beneficial use until the drainage works have been completed in accordance with the approved plans.

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



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: 21/1156/10 (AM)
APPLICANT: Mr & Mrs Newland
DEVELOPMENT: Garden fencing and widening of driveway.
LOCATION: 14 HEOL-Y-SARN, LLANTRISANT, PONTYCLUN,
CF72 8DB
DATE REGISTERED: 17/08/2021
ELECTORAL DIVISION: Town (Llantrisant)

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

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

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for garden fencing and the widening of the driveway at 14 Heol-y-Sarn, Llantrisant.

The existing driveway at the front of the property would be widened from 2.5 metres to 4.9 metres allowing for an additional vehicle space and widened vehicle crossover to the front of the property. The new parking area would be surfaced in tarmac and would be at existing ground levels.

The proposed garden fencing would be sited to the rear of the application property. It would comprise reinforced stone pillars above the existing boundary wall at the western boundary

of the site, of matching design and materials as the existing, with vertical timber panels of the same height sited in-between. The height of the pillars will be between 0.8 and 1.5 metres above the existing wall, having a maximum overall height of 3.2 metres from ground level at the application site, but only approximately 1.8 metres in height from the adjacent properties due to them being set at a higher ground level.

SITE APPRAISAL

The property is located within the residential area of Llantrisant Town and adjacent to the historic town's Conservation Area.

The application site relates to a detached dwelling accessed off Gwaunruperra Road. The principal elevation is set back from the footway at Gwaunruperra Road by an amenity space consisting of a driveway and front garden. An enclosed garden is sited to the rear.

Neighbouring properties within the vicinity are of varying scale and design with various external materials and boundary treatments being visible within the street scene.

PLANNING HISTORY

05/1630/10	Proposed rear conservatory	Granted	29/12/2014
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PUBLICITY:

The application has been advertised by direct notification letter to neighbouring properties. 5 letters of objection have been received, which raised the following points:

- Views of the Common will be spoilt;
- The new wall and fencing will have a significant impact on the light and views from the adjacent property, No. 16;
- The proposal will spoil the enjoyment of the limited outdoor space at No. 16;
- Dramatic effect on quality of life and well-being of neighbours;
- Affect the value of No. 16; and
- Concerns over ownership of the boundary wall.

CONSULTATION

Highways and Transportation

No objections, conditions recommended.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

The application site lies within the defined limits of development set out in the LDP.

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

Policy AW6 – Design and Placemaking: This policy requires development to involve a high-quality design and to make a positive contribution to placemaking.

Supplementary Planning Guidance:

A Design Guide for Householder Development

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), WG's current position on planning policy at regional and national level.

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

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

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues

Principle of the proposed development

The application seeks consent for the widening of a driveway to provide additional access and new garden fencing at an existing residential dwelling. The principle of development is therefore considered acceptable subject to compliance with the relevant material considerations set out below.

Impact on the character and appearance of the area

Policy AW5 stipulates that the scale, form and design of a development should not have a detrimental effect on the site or surrounding area. Similarly, Policy AW6 is supportive of proposals that are of a high standard of design, reinforce attractive qualities, and that are appropriate to the local context.

The proposed development is considered acceptable in terms of the design, siting, massing, scale, materials and overall visual appearance. This view is taken for the following reasons:

In terms of the widening of the driveway, this will be a visible addition to the street scene given its position directly fronting Gwaunruperra Road. However, the works would simply involve the widening of the stone walling from 2.5 to 4.9 metres and the addition of a parking space, with a tarmac finish. Given the minor nature of the development, it is not considered that the proposal would have any undue visual impact.

Additionally, sited to the rear of the property the proposed fence will not be visible from the street, only from within the site and from the rear amenity space of the adjacent neighbours from which it would appear as a typical boundary treatment between properties. Therefore, it is not considered the proposal will have any noticeable impact upon the visual amenity of the host dwelling or the wider area.

The proposal is therefore considered to be in accordance with the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance in respect of its potential visual impact.

Impact on residential amenity and privacy

The proposed development is considered to have limited impact upon the residential amenity of any neighbouring occupiers. This view is taken for the following reasons:

It is acknowledged the new boundary fence would be high when viewed from within the application site. However, the adjacent properties to the west, Nos. 16 and 28 Heol y Sarn are set at a higher ground level, approximately 1 metre above. Therefore, with new fence appearing only approximately 1.8 metres in height from the ground level of these properties at its highest points, it would appear as a typical boundary treatment seen between residential properties and it is not considered it would result in any undue overbearing or overshadowing impact.

Subsequently, whilst the objector's concerns are acknowledged and it is accepted that a degree of impact would inevitably occur in these respects, it is not considered that any potential impact would be significant enough to warrant refusal of the application.

It is acknowledged the new fence would be sited in close proximity of ground floor windows at No. 28 resulting in a loss of outlook, but as set out above, it would be only approximately 1.8 metres in height from the ground level of this property, 200mm below that which No. 28 could erect under its permitted development rights. It is subsequently considered any potential impact would not be significant enough to warrant refusal.

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

Impact on highway safety

The proposal would allow for vehicular access to the application site off Gwaunruperra Road. The Council's Highways and Transportation department have raised no objections to the proposal as it is not considered that the development would pose any risk to highway safety in the vicinity. It was noted that an increase in off-street parking spaces will decrease on-street parking demand in close proximity to a road junction, which would be an improvement and is considered acceptable. It is considered however that a condition should be attached to any consent requiring the parking area be constructed in permanent materials and retained for the purposes of parking only.

Other issues

With regard to the objections raised by neighbouring residents and interested parties that have not been covered above, a loss of view and impacts on property values are not material planning considerations and cannot be considered during the determination of this application. In addition, any concerns regarding land ownership are a civil matter between the relevant parties that the Council cannot enter into. Members are advised however that the applicants have signed Certificate A of the application forms and confirmed that they are the sole owners of the boundary wall in question.

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 proposal is considered to have an acceptable impact upon the character and appearance of the locality as well as upon the residential amenities of the surrounding neighbouring properties and highway safety. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

RECOMMENDATION: APPROVE SUBJECT TO THE FOLLOWING CONDITIONS

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

Reason: To comply with Section 92 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)

- 246-103
- 246-104

and documents received by the Local Planning Authority on 17/08/2021 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. The parking area shall be constructed in permanent materials and retained for the purposes of parking only thereafter.

Reason: To ensure that vehicles are parked off the highway, in the interests of highway safety in accordance with 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: 21/0687/10 (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 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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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: 21/1020/10 (BJW)
APPLICANT: Mr Anjam
DEVELOPMENT: Proposed change of use from retail to a take away.
LOCATION: 27 BROOK STREET, WILLIAMSTOWN, TONYPANDY, CF40 1RB
DATE REGISTERED: 04/08/2021
ELECTORAL DIVISION: Penygraig

RECOMMENDATION: Approve

REASONS: The proposed change of use would be suitable and appropriate to the existing retail area of a Local and Neighbourhood Centre (Williamstown) and would add to the vitality and viability of this area. The operation of the use would not have a detrimental impact on the amenity of neighbouring residential properties (including those above the shops).

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its impact on the visual amenities of the area, highway safety and the amenities of nearby residential properties as well as maintaining the position of the retail centre within the retail hierarchy.

REASON APPLICATION IS BEING REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning approval is sought for the conversion of the existing property, 27 Brook Street, from a retail premises – selling hardware, to a hot food takeaway.

The application proposes no external alterations to the shopfront of the property while a new extraction flue from the internal cooker hood would be installed to the rear, single storey annexe to serve the proposed use. The proposed hours of operation of the business would be 11am to 11pm Monday to Saturday and 5pm to 11pm on Sundays and Bank Holidays. The new use would generate employment for two full time and three part time staff.

The floor plan for the proposed business includes a counter and waiting area to the front of the property and a food preparation area to the centre and rear. Also included is a storeroom and staff toilet.

The application is almost identical to a previous application, reference no. 15/1164/10, which was approved at the property, subject to conditions, on 06/11/2015. The only physical difference to the previously approved application is the location of the cooker hood which will now be located within the main servery area at the front of the premises. The only operational change would be the hours of operation as detailed above.

SITE APPRAISAL

27 Brook Street, Williamstown is an end of terrace, commercial property located within a terrace of businesses in the retail area of the village of Williamstown. The property is currently in retail use, selling items of hardware and appliances, with a flat above.

There are a variety of business premises within the general locality, some of which have residential flats on the upper floor.

PLANNING HISTORY

15/1164	27 Brook Street, Williamstown	Proposed Change of Use from A1 Retail to A3 to Take-Away.	Granted 06/11/15
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PUBLICITY

This has included site notices and the direct notification of properties surrounding the site. 5 responses have been received, which are summarised below:

1. The residents of Rowling Street oppose this application as it would exacerbate existing parking issues in an already busy street from local businesses owners and customers parking to use the services. Five of which are open late evenings.
2. We feel there would be no need for a takeaway in this street either and it would add to late night problems with parking, noise and smell. We residents often come home from work and can't park in street due to customers parking and residents of Brook Street parking their vehicles, sometimes for days at a time.
3. We already have an approval for a takeaway (28-30 Brook Street) which has been delayed opening due to COVID. We had to provide parking for our proposal but none is offered with the current proposal. This seems to be unfair.
4. Antisocial behaviour of patrons attracted to the area for late night food including increased noise and disturbance.
5. Difficulty of large vehicles, including buses being able to get through the main thoroughfare of Brook Street due to the increased parking of vehicles in the area.
6. There were no signs in the area advising of this application.

CONSULTATION

Transportation Section – no objection. There is concern with regards the proposal adding to the existing high demand for on-street car parking along Brook Street and

the surrounding residential streets. However, taking into account that the proposal is in the retail area of Williamstown close to public transport links and a number of trips are anticipated to be on foot and cross linked with other local shopping trips, and with a similar planning permission granted in 2015 for conversion of the property to A3 takeaway, on balance, the proposal is acceptable. No conditions are suggested.

Land Reclamation and Engineering (Drainage) – no objection. 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. As such there is no objection or recommendation for condition in relation to surface water flood risk for this application. It is considered that the development's surface water flood risk will be adequately managed by both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010. Advice is provided in relation to these matters.

Public Health and Protection Division – No objection, subject to conditions to restrict the hours of operation, hours of deliveries/collections, within/to/from the business; a condition for the details of equipment to suppress and disperse odours and noise generated from cooking and a condition for the system for the disposal of fat, oil and grease generated by the development to be agreed and installed prior to the use commencing and operated for as long as the proposed use continues.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary in Williamstown and is within a Local and Neighbourhood Centre, Williamstown (Policy NSA18.3 refers).

Policy CS1 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW 2 - supports development in sustainable locations.

Policy AW 5 - lists amenity and accessibility criteria that will be supported in new development proposals.

Policy AW 6 - lists design and placemaking criteria that will be supported in new development proposals.

Policy NSA 18.3 - designates the area as a Local and Neighbourhood Centre (Williamstown) and supports development that would maintain or enhance a centre's position in the retail hierarchy.

Policy NSA19 – states that proposals for Class A1, A2 and A3 uses in retail centres will be permitted provided that they add vitality and viability to the centre.

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:

Planning Policy Wales Technical Advice Note (TAN) 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main issues:

Principle of the proposed development

It is considered that the principle of changing the use of the premises from a retail shop to a takeaway would be acceptable in terms of the provisions of the Local Development Plan.

The existing use of the premises as a retail shop would be Use Class A1 while the proposed use would be Use Class A3. National Guidance considers that retail uses

(A1) should underpin centres however a lively mix of uses, including A2 and A3 uses, is encouraged in order to promote and improve vitality and viability.

As this application mainly proposes to open from 11:00am until 11:00pm it is considered that it would not have a detrimental impact upon the retail frontage within Williamstown being open throughout the day.

It is also considered that the change of use would not result in an over-concentration of A3 uses in this instance as the most recent retail survey of Williamstown 5th of July 2021 identified that there were 14 properties within the retail centre with a breakdown of the following use classes:

- A1 - 9 properties (64.29%)
- A3 - 2 (14.29%)
- Sui Generis (unique uses) - 1 (7.14%)
- Vacant - 2 (14.29%)

By removing an A1 use and adding an A3 use retail would still be the dominant use in this case (remaining at 57.15%). Therefore, whilst the balance in Williamstown is getting close to a point where non-retail uses could become more dominant than retail and there would be an objection if this was to happen, the current proposal would not result in the centre reaching that limit.

It is also acknowledged that there is a previous consent for conversion to an A3 use at this property which only expired in November 2020. It is considered that there have been no substantive material changes in circumstance since the previously approved application and this is confirmed by the retail survey results which are largely unchanged over the intervening period.

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

Impact on the Local and Neighbourhood Centre (Williamstown)

The site is within a Local and Neighbourhood Centre, the village of Williamstown. As such developments for retail units and other uses should enhance or maintain the centre's position within the retail hierarchy.

As detailed above, it is considered that the change of use to an A3 use would add to the mix of shops within the retail area and consequently, to the vitality and viability of the area. Additionally, the development would provide a productive, continued commercial use to the property.

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

Impact on neighbouring properties

The proposal utilises an existing retail unit that is located within a terrace of commercial properties. Therefore the impact on the closest properties would primarily be on business premises and would be considered to be acceptable.

It is acknowledged however that there are residential units above some shops and that A3 uses do have the potential to be harmful to the amenities of dwellings due to increased levels of noise, odours and disturbance. However, it is considered that these concerns could be adequately addressed through the imposition of planning conditions as suggested by the Public Health and Protection Division in their observations to the proposal.

It is also considered that within retail areas there is a general level of activity that is greater than in purely residential areas and that residents accept that this is a consequence of living in such areas.

It is however acknowledged that there have been several objections raised by residents of surrounding residential streets in relation to noise, disturbance and off-street parking. These issues, where not already considered, will be addressed later within the report.

Visual amenity

The façade of the property would remain largely unaltered with the change of use being achieved through internal alterations that themselves use the existing spaces and partitions of the premises.

The one external alteration proposed would be the installation of an extraction flue at the rear of the premises. It is considered that this alteration would be relatively minor and visually acceptable within the setting of this property and its immediate surroundings.

Highway safety

The Transportation Section has raised no objection to the application. This view acknowledges that there is concern with regards the proposal adding to the existing high demand for on-street car parking along Brook Street and the surrounding residential streets.

However, taking into account the positive planning history for an almost identical use at the site and that the proposal is in the retail area of Williamstown, is close to public transport links and that a number of trips are anticipated to be on foot and cross linked with other local shopping trips, it is, on balance, that the proposal is considered to be acceptable in this respect.

Other Issues

The comments of neighbouring properties in relation to the application are acknowledged. Where these comments have not been addressed already in the report the following additional comments are offered:

1. The application has been subject to consultation with the Council's Transportation Section who, while acknowledging the concerns and existing situation within the area, have raised no objection to the application. While it is acknowledged that there is an ongoing problem with parking and access within the area there are also Traffic Regulation Orders (TRO's) which restrict parking within the area. It is also acknowledged that, by their very nature, hot food takeaways have the capacity to generate a greater intensity of indiscriminate, short-term parking as patrons seek to park as close as possible to the premises to collect their food. However, it is likely that the majority of this activity will be after the other commercial uses within the centre are closed or less busy. Additionally, many users would travel to the premises on foot or as part of cross-linked visits to the centre. Consequently, it is considered that the proposed use would not have a significant enough impact in this regard to warrant refusal on these grounds.
2. The number of takeaways within the retail centre of 14 businesses is such that the predominant use would remain as retail (A1 – 57.15%, down from 64.29%). It is not considered that one additional A3 use would alter the balance to the detriment of the vitality and viability of the retail centre.
3. The case referred to 17/0536/10 was for the conversion of part of the storeroom of the existing retail use to an A3 use. The application included the provision of a parking space to serve the development, which was a new unit within the existing retail area, that has still not been implemented.
4. Antisocial behaviour is a concern but is dealt with as part of the crime and disorder powers of the Police. The closing time of the proposed use (11pm) is such that it is unlikely to exacerbate antisocial behaviour within the area. And in any case, there is no evidence to suggest the proposed use would exacerbate any existing issues.
5. The use of Brook Street as a main thoroughfare for vehicles is acknowledged as is the difficulty for large vehicles due to parking issues within the street. It is considered that this is already addressed through the existing TRO's and their enforcement.
6. All surrounding properties were directly notified by letter and signs notifying the public of the application were displayed on site on 4th August 2021. Photographs of the notices are included in the presentation.

One of the suggested conditions (condition 9 below) from the Council's Public Health and Protection Division has been amended as the wording would have been unduly restrictive to the operation of the business. The suggested condition has been re-worded to restrict deliveries to the business to the times specified.

Conclusion

The application is almost identical to a previously approved application for a change of use at this site. It is considered that there has been no significant material change in circumstances since the previous approval that would warrant a different decision to that previous made, to approve the application.

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of the change of use, impact upon

neighbouring properties, highway safety and the impact on the existing local and neighbourhood retail centre (Williamstown) - Policies AW5, AW6 and NSA18.3 refer.

Consequently, a recommendation to approve the application is offered, subject to the conditions set out below.

RECOMMENDATION: Grant

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

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

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

- Site location plan (includes existing ground floor, front, side and rear elevation plans), drawing no. hdw/ph/sid/01
- Proposed ground floor, front, side and rear elevation plans, drawing no. hdw/ph/sid/02

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

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

3. The hours of operation for the business hereby approved shall be as follows:

- Monday – Saturdays 11.00 to 23.00
- Sundays including Bank Holidays 17.00 to 23.00 hours

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

4. A scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority prior to any development works commencing on site. The approved scheme shall be implemented before the beneficial use of the premises commences and shall operate for as long as the premises operates as a food outlet unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the environmental amenity of the area in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. A scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority prior to any development works

commencing on site. The approved scheme shall be implemented before the beneficial use of the premises commences and shall operate for as long as the premises operates as a food outlet unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the environmental amenity of the area in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Equipment such as extraction systems, discharge stacks and odour control systems etc. shall be installed to suppress and disperse fumes and smells produced by the preparation and cooking of food. Details of the intended exhaust ventilation equipment shall be submitted to and approved in writing by the Local Planning Authority prior to any development works commencing on site, and installed in accordance with the approved details prior to the beneficial use of the premises as a food outlet. All equipment shall be maintained and operated for as long as the premises operates as a food outlet.

Reason: In the interests of the environmental amenity of the area in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Details of the system intended to prevent waste cooking oil, fats, grease and food debris entering the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any development works commencing on site, and installed in accordance with the approved details prior to the beneficial use of the premises as a food outlet.. The system shall be maintained and operated for as long as the premises operates as a food outlet.

Reason: In the interests of the environmental amenity of the area in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the development hereby approved commencing a noise impact assessment must be carried out by a competent person and must be submitted to and approved in writing by the Local Planning Authority prior to the installation of the extraction system.

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

9. Hours of deliveries to the business shall be restricted to:

Mondays to Saturdays	08:00 – 18:00
Sundays or Public Holidays	10:00 – 16:00

unless otherwise agreed in writing by the Local Planning Authority.

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



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: 20/0158/10 (JE)
APPLICANT: Stoneman, Brown & Davies Developments Co. Ltd.
DEVELOPMENT: Demolition of 2 No. existing commercial buildings and replacement with a new purpose built premises with a store/cutting room and retail showroom along with associated car parking and landscaping and ancillary works.(Bat Report received 26/10/20)(Swept Path Analysis received 29/01/21)(Amended Plans received 07/07/21)
LOCATION: LEEWAY CARPETS AND FLOORING, 550-555 LLANTRISANT ROAD, PEN-Y-COEDCAE, PONTYPRIDD, CF37 1PL
DATE REGISTERED: 07/07/2021
ELECTORAL DIVISION: Graig

RECOMMENDATION: APPROVE

REASONS: The principle of development at the site is considered acceptable. Furthermore, the proposal is considered acceptable with regard to its impact upon the character and appearance of the area, the residential amenities of surrounding neighbours, highway safety within the vicinity of the site and ecology. As such, the application is considered to generally comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

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 new purpose built retail premises with associated car park and landscaping works at Leeway Carpets and Flooring, 500 – 555 Llantrisant Road, Penycoedcae.

The proposal would see the existing 2 no. commercial buildings on the site demolished to accommodate the new premises. The proposed building would be orientated north west – south east with the main retail frontage facing north towards Llantrisant Road. It would measure a width of 31 metres by a depth of 11 metres and would have a mono pitched roof design measuring a maximum height of 8.8 metres sloping to 7.6 metres.

The premises would be of a modern design finished externally in coloured aluminium cladding and would include large window openings on its front elevation. The building would also accommodate roller shutter doors on its front and rear located towards its northern side elevation that would facilitate deliveries and collections from the store. Members should note that whilst the plans show indicative advertisements, any advertisement at the premises would require separate advertisement consent.

The proposed premises would provide commercial floorspace over two levels with the ground floor accommodating a store/cutting room, staff welfare facilities and the open plan sales floor; and the first floor accommodating additional welfare facilities, an open plan sales area and an office.

The proposal would also see the creation of a formal car park that would provide 29 no. spaces to the front and rear of the store. In addition, the proposal would see the creation of a landscaped area to the north east of the new premises, at the site of the existing Leeway Carpets Building, which would incorporate the necessary SuDS and ecology mitigation.

Members are advised that following a request made by Officers amended plans were received on the 7th of July 2021. These plans were requested following concern in relation to the original scheme which proposed the structure sited towards the southern boundary of the site orientated south west – north east (facing into the site). This scheme was considered to form a dominant addition to the area that would relate poorly to the existing pattern of development along Llantrisant Road. Concerns were also raised by the Transportation Section in respect of the proposed access and parking arrangements.

This application is supported by:

- Planning, Design and Access Statement
- Bat Survey
- Swept Path Analysis for a Refuge Lorry, Skip Lorry and 7.5T Panel Van.

SITE APPRAISAL

The site is an irregularly shaped piece of land which extends to approximately 2,250m². The site currently accommodates two existing, commercial scale buildings, namely Leeway Carpets and W2C Building Contractors. The existing commercial repair garage, CJ Autos, and adjacent MOT centre are outside of the application site and would remain following development. There is also a disused scrap yard to the rear of the site and a group of dwellings further along Penycoedcae Road to the west.

The development site is relatively flat and is situated close to the apex of Llantrisant Road leading into the small village of Penycoedcae, Pontypridd. It measures 81m at its longest point by 44m in width at its widest point and has an area of 2250 square metres.

PLANNING HISTORY

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

10/1084/10: LEEWAY CARPETS AND FLOORING, LLANTRISANT ROAD, PEN-Y-COEDCAE, PONTYPRIDD, CF37 1PL

Residential development - re-development of commercial carpet premises

Decision: 23/07/2013, Grant

17/5062/41: 500-550 LLANTRISANT ROAD, PEN-Y-COEDCAE, PONTYPRIDD, CF37 1PL

Replacement of existing retail/industrial unit and demolition of existing single storey unit and construction of up to 5 new homes.

Decision: 11/08/2017, Raise No Objection

17/0874/15: LEEWAY CARPETS AND FLOORING, 550-555 LLANTRISANT ROAD, PEN-Y-COEDCAE, PONTYPRIDD, CF37 1PL

Variation of Condition 1 (Time period) and Removal of Condition 15 (Sustainable Homes) of previous application 10/1084/10.

Decision: 27/04/2018, Grant

19/5080/41: PONTYPRIDD

Pre-Application Enquiry

Decision: 27/06/2019, Raise Objections

PUBLICITY

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

Two letters of representation were received following consultation, one from a local resident and a second from a resident's group. The points raised have been summarised below:

- Development should include improvement works to highway.
- Request that amenity and the environment is taken into account.

CONSULTATION

Transportation Section: No objection subject to conditions.

Countryside (Ecology): No objection subject to conditions.

Flood Risk Management (Drainage): No objection.

Regeneration Section: Support for application.

Glamorgan Gwent Archaeological Trust: No objection subject to condition.

Natural Resources Wales: No objection.

Public Health and Protection: No objection although conditions suggested with regard to hours of operation, noise, dust and waste.

Dwr Cymru/ Welsh Water: No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

Policy AW2 – supports development in sustainable locations.

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

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

Policy AW7 - development proposals which impact on sites of architectural or historic merit and sites of archaeological importance will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 - only permits new development where it is shown that there will be no harm to locally designated sites or unacceptable impact upon features of importance to landscape or nature conservation.

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

Policy AW14.2 – identifies that Sandstone are to be safeguarded across the County Borough.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking
- Shopfront Design

National Guidance

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

Planning Policy Wales (Edition 11) (PPW) 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 generally consistent with the key principles and requirements for placemaking set out in PPW; and is consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

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

Other national policy guidance considered:

PPW Technical Advice Note 4 – Retail and Commercial Development

PPW Technical Advice Note 12 - Design

PPW Technical Advice Note 18 – Transport

PPW Technical Advice Note 23 – Economic Development

REASONS FOR REACHING THE RECOMMENDATION

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

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

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

Main Issues:

Principle of the proposed development

The application relates to the demolition of 2no. commercial buildings and the construction of a replacement retail unit in their place.

The site is located outside of the defined settlement boundary where new development is strictly controlled. However, in this instance the development would replace existing commercial units at the site. Therefore, the proposal would not result in new development that would encroach into the countryside and it is considered that the principle of development and commercial use at the site is long established. Additionally, the surrounding vicinity comprises of the small settlement of Penycoedcae and therefore the site does not appear isolated when viewed in the context of the surrounding area.

Planning Policy Wales Edition 11 (3.60) stipulates that new development in the countryside can be permitted where the development will increase local economic activity. In this instance, the proposal would allow for the existing business to remain in the Country Borough which has been supported following consultation with the Council's Regeneration team. The development would not only help secure the 12 jobs already directly employed, but would also provide opportunities for future job creation with the applicant indicating that there are plans to employ an additional 7 people in the immediate future.

Taking the above into account, whilst it is accepted the site is located outside of settlement limits, it is considered the replacement of 2 no. existing commercial units with 1 no. of the same use generally complies with both local and nation planning policy. The proposed development is therefore considered acceptable in principle, subject to the below criteria.

Impact on the character and appearance of the area

There is no doubt that the proposed development would form a prominent addition to the application site which would significantly alter its current appearance. However, the site currently appears rundown and unkempt and in need of significant investment. It is therefore considered the proposed development, through the demolition of the existing units and construction of the new retail store, would result in a development

that considerably improves the existing character and appearance of the site which is highly visible from Llantrisant Road.

The proposal would be of an attractive modern design which is considered to from an acceptable addition to the site and settlement of Penycoedcae. Additionally, whilst large in scale, it would be orientated to face the highway following the existing pattern of development at this row of commercial properties. Further, the design proposed is typical of similar commercial developments, but the plans are currently lacking detail with regard to specific colours and materials proposed. As such, a condition is recommended below for these to be submitted prior to development at the site.

It is also noted that the proposal would also be appropriately positioned within the site to allow for sufficient parking areas, refuse areas and associated highway improvements to be accommodated without constituting overdevelopment. Further, landscaping works would be introduced in place of the existing retail unit and along the front boundary. However, the plans are currently lacking in detail in this regard so a condition has been recommended below for the landscaping details to be submitted prior to development.

Taking the above into consideration, the application is considered acceptable in this regard.

Impact on residential amenity and privacy

With regard to the impact of the proposal upon amenity and privacy, the closest neighbouring residential properties are located approximately 26 metres to the south and 30 metres to the south west. Whilst the proposal would result in a more substantial structure at the site in comparison to the existing arrangement, when considering the separation distances highlighted above and orientation of the building which would see the side elevation of the building face these properties, the main mass of the structure would face away from these properties. As such, it is not considered the proposal would result in a significant impact upon the amenities of the occupiers of these dwellings.

Whilst the proposal may result in additional coming and goings to/from the site, it is considered that nearby properties would have become accustomed to an existing level of noise and disturbance from the existing uses at site. Additionally, the new unit would be of the same use as the existing, would only be open during normal daytime hours, the same hours as the existing premises, and would also utilise existing access points from Llantrisant Road. As such, it is not considered that the proposal would significantly increase any existing impacts currently experienced by neighbouring properties. Nevertheless, to ensure this is the case a condition is recommended below to restrict the hours of operation to the following:

- Monday to Friday 07:30 – 18:00
- Saturday 08:00 – 17:30

- Sundays and Bank Holidays 10:00 – 16:30

Taking the above into account, the application is considered acceptable in this regard.

Highway Safety and Parking Provision

The Council's Transportation Section were notified in order to assess the suitability of the application with regard to its potential impact upon highway safety. Initial concern was raised to the original submission in relation to parking and internal circulation. However, following the submission of amended plans and swept path analysis this objection was removed and the following response was received:

The proposal would be served via 2 no. access points off Llantrisant Road. Llantrisant Road has a carriageway width of circa 6m and lacks adequate continuous pedestrian footway facilities, however, there is a makeshift footway fronting the development site only. Llantrisant Road is subject to a 30mph speed limit across the development site, which lowers to 20mph to the immediate southwest entering Penycoedcae village.

The proposed 2 no. access points are considered acceptable subject to provision of a continuous 2m wide footway along the site frontage with Llantrisant Road and vehicular crossovers where appropriate. The amended site plan indicates that a 2m wide footway is to be provided. The amended plan lacks sufficient detail with regard to the required vehicular crossovers, however, this issue could be addressed by means of a suitably worded planning condition. In addition, there is sufficient space provided to facilitate adequate internal circulation within the parking area to the front of the proposed retail unit.

The proposed retail unit would have a GFA of circa 633m². In accordance with the Council's adopted SPG, shops and small supermarkets (201m²-1000m²) have an off-street parking requirement of 2 commercial vehicle spaces and 1 space per 20m². This equates to a requirement of 2 commercial vehicle spaces and 32 customer spaces. The submitted drawing no. "1041-23/010 Rev 01", titled "Site Plan: As Proposed", indicates that 29 off-street spaces are to be provided, resulting in a shortfall of 2 commercial vehicle spaces and 3 customer parking spaces, which gives cause for concern. However, when considering that the parking requirements set out in the Council's adopted SPG are maximum requirements, the proposed level of parking provision is, on balance, considered acceptable.

Taking the above into account, the application is considered acceptable in this regard.

Ecology

As the application proposes the demolition of the two existing buildings the Council's Ecologist requested that a bat assessment is submitted in support of the application. The Bat Survey Report (David Clements September 2020) concluded that there is negligible bat or nesting bird potential in the two affected buildings. The Council's

Ecologist commented that the assessment appears appropriate and has a reasonable conclusion and is therefore acceptable, however a condition is required for all details of precautionary bat, bird and reptile measures, invasive plant control and biodiversity enhancement measures as identified in Section 4 of the report to ensure the scheme provides mitigation/enhancement measures as set out in PPW.

Archaeology

Following consultation it was commented by The Glamorgan-Gwent Archaeological Trust that the application area is approximately 90m to the west of Scheduled Monument; Pen-Y-Coedcae Roman Camp (Cadw ref: GM267). Given that Roman remains have been encountered during previous archaeological work undertaken within the immediate area there is a high potential for archaeological remains and features, especially associated with the Roman marching camp, to be revealed during the proposed groundworks. As such, a condition is recommended for the submission of a detailed written scheme of investigation for a programme of archaeological work.

Public Health & Protection

No objections have been received from the Council's Public Health and Protection Division in respect of the application. They did however suggest a number of conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, waste and dust 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.

Drainage

No objection or conditions were suggested following consultation with the Council's Flood Risk Management Team who commented that the proposal is not located in an area of surface water flood risk. However, the FRM team did indicate that the proposal would require separate SuDS approval should planning permission be granted, and that it appears an appropriate scheme could be implemented on site.

No objection were raised following consultation with Dwr Cymru on the basis that the proposal would utilise an existing cesspit for foul drainage and would not require a new sewer connection. In their response Natural Resources Wales also raised no objection to the application and have recommended an appropriate note with regard to the cesspit and foul drainage arrangements.

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 constitutes Class A1 retail development creating over 100 sqm of floor space, where there is a liability of £100/sqm.

The CIL (including indexation) for this development is expected to be £25174.90.

Conclusion

The principle of development at the site is generally considered acceptable. Furthermore, the proposal is considered acceptable with regard to its impact upon the character and appearance of the area, residential amenity, highway safety within the vicinity of the site and ecology and biodiversity. As such, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

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)

- 1041-23-010
- 1041-23-200
- 1041-23-201
- 1041-23-202
- 1041-23-210
- 1041-23-211
- 1003-23-220

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

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

3. Notwithstanding the submitted plans, development shall not commence until full engineering design and detail of the proposed 2m wide footway/vehicular crossover along Penycodcae Road 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 the proposed retail unit.

Reason: To ensure the adequacy of the proposed development, 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.

4. The 29 no. off-street parking spaces and cycle parking indicated on submitted drawing no. "1041-23/010 Rev 01" shall be provided on site in permanent materials prior to beneficial use and retained for the purpose of vehicular and cycle parking only.

Reason: To ensure vehicles are parked off the public highway, in the interests of highway safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. 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, but not be limited to:

- the means of access into the site for all 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 agreed otherwise in writing by the Local Planning Authority.

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

6. No development shall take place until a written scheme of historic environment mitigation has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall take place until a written scheme of historic environment mitigation has been submitted to and approved in writing by the

Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall take place until details of bat, bird and reptile measures, invasive plant control and biodiversity enhancement measures set out in Section 4 of the David Clements Ecology Bat Survey Report dated September 2020 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details and the mitigation measures implemented prior to beneficial use.

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

9. 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.

10. 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.

11. Building operations shall not be commenced until samples of the external finishes of the structure proposed to be used have been submitted to and

approved in writing by the Local Planning Authority. 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 neighbouring buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

12. The public opening hours for the business hereby approved shall be as follows:

- Monday to Friday – 07:30 to 18:00 hours
- Saturday 08:00 to 17:30 hours
- Sundays and Bank Holidays 10:00 to 16:30 hours

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

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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:	21/0591/10	(GH)
APPLICANT:	Valley Veterans	
DEVELOPMENT:	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)	
LOCATION:	LAND TO THE SOUTH OF 25 - 41, KENNARD STREET, TONPENTRE, PENTRE	
DATE REGISTERED:	07/07/2021	
ELECTORAL DIVISION:	Pentre	

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS: The development would provide an exciting opportunity for the Valley Veterans charity to provide equestrian related facilities for the benefit of its members and the wider community. The site occupies a sustainable location within the settlement boundary and would not result in a detrimental impact upon the amenity of the occupiers of the neighbouring dwellings, or harm to highway safety, subject to conditions. It is therefore considered that the application would comply with Local Development Plan Policies AW5, AW6, AW8 and AW10.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning consent is sought to construct a stable block and manège for the keeping of horses, on land to the south and rear of 25-41 Kennard Street, Ton Pentre.

The land in question has been acquired by the charity Valley Veterans to pursue their Equi-Grow project. The charity was founded over ten years ago to support ex-servicemen suffering from PTSD and this scheme is intended to provide equestrian, horticultural, and social enterprise activities for the benefit of their members.

The current proposal represents the first phase of the project and the plans originally submitted comprised a large U-shaped stable block to be constructed at the south-eastern end of the site, containing seven stables and separate tack and feed rooms.

The block would have had a depth of 13.76m and a width of 20.9m, with rendered elevations to be enclosed by a 4m high roof of reconstituted slates, projecting forward of the stable entrances in the form of a veranda.

To the front of the stables the ground would have been levelled to form a manège, where its length of 20m and width of 15m would create a 300m² training area. The manège would be enclosed by a rail fence and its surface water drained to a tank below ground.

However, due to concerns about smells and residential amenity, and on receipt of a number of objections in this regard, a site meeting was held with the Applicant, together with a representative from the Armed Forces and others, to discuss potential revisions.

Subsequently, a revised plan was received which reduced the width of the stable to a maximum of 8.6m and reduced the number of stables from seven to five. The stable block has been repositioned to be at the furthest possible point from the properties on Kennard Street, and reoriented so that the stable entrances face south-west.

Access to the site would continue to be gained from an existing track across the adjoining land. This track connects with the unadopted, unmade lane to the north-west and then forms a junction with the highway adjacent to 41 Kennard Street.

SITE APPRAISAL

The application property is a large piece of unallocated land located within the settlement boundary to the rear of Kennard Street in Ton Pentre. It is of a rectangular form and the part proposed for the stables and manège comprises a surface area of 0.116 hectares.

The site is accessed from the north-east via Parish Road, which connects directly with Kennard Street, and which also provides access to the rear of neighbouring properties and other landholdings.

The closest dwellings are numbers 25 to 41 Kennard Street whose rear gardens back on to the site. The land rises in level towards the south, so these gardens are at a lower level than that where the development would be located.

It is noted that the application site is part of a much larger area of the Rhondda Fawr which is designated as a Registered Landscape of Outstanding Historic Interest in Wales.

PLANNING HISTORY

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

06/0363/10: Proposed development of semi and detached residential three bedroom dwellings at the rear of Kennard Street (revised layout and sections received 19/05/10). Decision: 13/07/2011, Withdrawn by Applicant.

05/0763/10: Construction of 10 detached 4 bedroom residential dwellings. Decision: 27/02/2006, Withdrawn by Applicant.

PUBLICITY

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

A petition, in the form of a collection of identical signed statements, has been received from 9 households with 13 signatories. The statement reads "I confirm that I am happy for Valley Veterans to carry out any works necessary on the land at the rear of Kennard Street, Ton Pentre, to aid their vision for supporting veterans and the wider community in the future".

Nine objections have also been received, raising concerns about drainage, overlooking/loss of privacy, land stability, noise, waste management, inadequate access, smells from stables, site security and visual impact.

One of the respondents has both objected and signed a statement in support.

On receipt of the revised plans the aforementioned nineteen properties were reconsulted and new notices displayed on site.

Further letters of objection were received from three households reiterating the concerns mentioned above.

CONSULTATION

Highways and Transportation

No objection to phase 1 of the scheme, subject to conditions.

Flood Risk Management

Due to the area falling within a high, medium and low surface water and ordinary watercourse flood risk, together with there being open watercourse channels within or within close proximity to the site, a drainage condition would be required to satisfy the requirements of TAN15.

Public Health and Protection

No objections subject to conditions in respect of demolition, hours of construction, noise, dust, and waste. However, given that these matters can be controlled within existing Public Health legislation, it is considered that an informative note would be most appropriate.

Natural Resources Wales

No comments to make since the development does not affect a matter of concern to NRW.

Dwr Cymru Welsh Water

No comments since the proposal does not involve discharge to a public sewer.

Western Power Distribution

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

Countryside – Ecologist

The site has been extensively cleared and little or no original vegetation is present. To provide necessary biodiversity enhancement the incorporation of a minimum of 3 nesting bird boxes on the new stable buildings would be required, with details to be sought and approved by condition.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Ton Pentre

Policy CS1 - The policy emphasis in the Northern Strategy Area (NSA) is on building strong and sustainable communities, including development which promotes the re-use of previously developed land and buildings.

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

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

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

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

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

Supplementary Planning Guidance

- Design and Place-making
- 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.

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

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

SE Wales Policies

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 15: Development and Flood Risk

PPW Technical Advice Note 16: Sport Recreation and Open Space

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 proposal seeks planning permission for the construction of a stable block and associated manège for the use of Valley Veteran's members.

The application site is located to the rear of Kennard Street which represents the current limit of the developed residential area where it meets the adjoining open land, albeit that the application site is within the defined settlement boundary.

Whilst the keeping of horses for either leisure or farm diversification purposes is not acknowledged as an agricultural land use or activity, it is both appropriate and reasonable that both they and any related facilities, such as stabling and exercise areas, are located on undeveloped or unallocated sites where there is sufficient space and convenient links to other land and routes for horse riding.

In light of the above, and given its sustainable location, the development would be considered acceptable in principle, subject to consideration of the material matters below.

Impact on the character and appearance of the area

The proposed development is considered to be acceptable in terms of the design, siting, massing, scale, materials, and overall visual appearance. This view is taken for the following reasons:

The stables would be located in a logical position at the end of the site, providing direct access to the adjacent manège. The manège would not constitute a development of great mass, and any structures for this part of the scheme would relate only to the post and rail fence necessary for enclosing the training area.

The rectangular layout of the stable block, combined with the proposed render finish and slate roof, would provide an attractive and fit-for-purpose design. Furthermore, due to its location, scale and single storey height, relative to the closest other properties and set against the rising land levels to the south, it would not be visually intrusive or harmful to the Registered Landscape designation.

Therefore, the proposed development is considered to be acceptable in terms of its overall visual appearance and would not detract from the character or appearance of the site or surrounding area.

Impact on neighbouring occupiers

Several objections were raised by the occupiers of the adjacent dwellings located along Kennard Street following the public consultation process. Other than those relating to drainage, land stability and access, which are considered elsewhere in the report, these concerns were largely in respect of amenity issues such as overlooking, noise, and nuisance smells from stables and animal waste storage.

It is acknowledged that the setting of the application site is on the very edge of the settlement and close to open countryside, and that this area could be used for a large number of animals to graze or exercise without the need for planning consent. However, the proximity of the nearest dwellings is a key consideration to ensure that the development would not cause an unacceptable detrimental impact to the amenity of the occupiers of those properties.

Originally, as outlined within the 'Application Details' section, the proposed stables and manège would have been around 7m from the rear garden boundaries and approximately 20m from the rear elevations of the closest adjacent properties at 27 and 28 Kennard Street to the north-east.

Although the physical presence of the stable block would not likely be harmful to the amenity of the neighbouring residents, there was a significant concern that the stabling of seven horses might result in a high degree of nuisance, primarily through the generation of odour generation from the animal's presence, the storage of waste on site and the comings and goings associated with their care.

Development Control Practice (DCP) notes that stable buildings which are near to residential properties often attract objections on the basis that smell and possibly health hazards such as rats and flies would occur, albeit that a key issue is whether there would be a sufficient distance between such buildings and residential properties to prevent such adverse conditions for neighbours.

However, by relocating the stables to the most south-western part of the site this has increased the distance between the block and the Kennard Street garden boundaries to 16.5m. Correspondingly, the distance between the block and the nearest rear elevation would be in excess of 30m. Furthermore, the stables would be arranged such that their entrance doors would face away from Kennard Street and towards open countryside

Having taken the above into account, it is considered that the revisions are sufficient to prevent the development having an unacceptable degree of harm to the amenity of the surrounding properties. Subject to conditions in respect of manure storage, external lighting, and boundary treatments, the latter two to address any concerns about light pollution and overlooking towards rear gardens, the application is therefore considered acceptable in this regard.

Access and highway safety

Access

The development would be accessed via a private un-metalled sub-standard lane leading to the site from a junction with Kennard Street.

Kennard Street has a carriageway width of 7.5m, a footway width of 2m opposite the site access point, a footway width of 2.4m on the eastern side of the access, and no footway on the western side of the access.

Lane Access

The access lane leading off Kennard Street is sub-standard in terms of structural integrity, surface water drainage, and lacks width for safe two-way vehicular movement; all of which would lead to increased hazards to the detriment of safety of all highway users.

Although the proposed development would generate limited additional traffic, being for the stabling of 5 horses with exercise manège, there is potential for the increased

vehicular traffic to drag mud and debris onto the public highway and block the existing highway drainage system. Therefore, should the application be recommended for approval, the Highways and Transportation Section recommends a condition for the first 20m of the lane to be surfaced in permanent material, prior to beneficial use of the first stable.

Piecemeal Development

The submitted site drawing indicates that the proposed development would be for phase 1 only, although the Applicant indicates future plans for a garage workshop and accommodation building for phase 2.

The Transportation Section has commented that the lane width and condition would not accommodate the increase in vehicular and pedestrian movement for phase 2, unless it was widened to a minimum of 5.5m, surfaced in permanent material and drained, and segregated pedestrian facilities were provided.

Whilst the matter under consideration for the current proposal is just phase 1, phase 2 would be subject to a highway objection in terms of highway safety unless the aforementioned matters were able to be resolved.

Parking

It is noted that no off-street car parking has been specifically allocated for phase 1. Therefore a condition for the provision of 5 off-street spaces, large enough to accommodate a 4x4 and horse box, has been suggested.

Highway Safety Conclusion

Since the proposal would generate limited vehicular movements from and across the sub-standard access, phase 1 only would be acceptable subject to a number of conditions regarding the surfacing of the lane, parking provision and prevention of surface water discharge to the public highway.

Surface Water Management

The site location plan provided identifies that the existing site boundary is green field. The Flood Risk Management team has advised that NRW flood risk plans show the site has a high Q30 surface water flood risk along the current track situated to the rear of no's 32-37 Kennard Street. There is also a medium Q100 surface water flood risk within the same location as the Q30 area identified above but which also conveys towards and into the rear gardens of 36 & 37 Kennard Street. A low Q1000 surface waterflood risk runs the entire length of the site covering most of its surface area.

NRW flood plans are also supported by Flood Risk Assessment Wales (FRAW) 2020 plans, which concur with the locations of the high surface water areas and ordinary

watercourse as well as showing a larger area of the land being affected by a medium surface water and ordinary watercourse flood risk than the NRW plans.

The applicant has stated that the method of disposing storm and surface water would be via a sustainable drainage system and a large holding tank has been incorporated into the plans. From the perspective of the Lead Local Flood Authority, the key element required to satisfy PPW TAN15 would be the surface water discharge rate and the applicant would be required to demonstrate the pre and post catchment discharge rates.

Furthermore, the proposed development will encompass works that have drainage implications for a construction area over 100m² and the requirements of Schedule 3 of the Flood and Water Management Act 2010 would apply. The development would therefore require an application for Sustainable Drainage Systems (SuDS) to be approved by the Sustainable Drainage Approval Body (SAB).

However, due to the site falling within high, medium, and low surface water areas and ordinary watercourse flood risk, in addition to the proximity of open watercourse channels, a condition for the submission of drainage details would also be considered necessary. Any proposals to modify the watercourse would also require separate Ordinary Watercourse Consent prior to works taking place.

In light of the above, and in the context of the complaints from neighbouring residents about drainage issues, the conveyance of surface water to their properties and concerns in respect of the stability of the site, it is likely that the measures identified above would result in a degree of betterment to the eastern part of the site where phase 1 would be located.

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 preceding sections of the report, the proposed development is considered to align particularly well with the following national sustainable placemaking outcomes:

- **Creating and Sustaining Communities:** The development would provide community based facilities for both armed forces veterans and local residents.
- **Facilitating Accessible and Healthy Environments:** The application site is located close to a bus route with some services and facilities located within walking distance, and since it is within the settlement boundary, can be considered to be a sustainable location. It is not car-dependent and would promote physical and mental health and well-being for its users.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs.

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

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 Valley Veterans charity provides an extremely valuable service and support to ex-servicemen and the proposal would be a superb development for this local charity, its members and wider community.

The revisions to the scheme, in order to set the stable block further away from the dwellings at Kennard Street, together with a reduction in size, is considered sufficient to allay concerns about the impact upon neighbouring residents regarding odour and from the use of the site.

Therefore, for the reasons stated within the report, it is considered the proposal would not have an unacceptable detrimental impact upon the residential amenity of the nearest neighbouring properties or be harmful to highway safety. The application would therefore be considered to comply with Policies AW5, AW6, AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be completed in accordance with the approved drawing number 2774 NB 02 (dated 28th August 2021 and relating to Phase 1 only), and details and documents received on 20th April 2021, 30th April 2021 and 31st August 2021.

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

3. No development shall commence until details of a scheme for the provision of a minimum of three nesting bird boxes, to be fitted to the stable building prior to beneficial use, has been submitted to and approved by the Local Planning Authority. The boxes shall be retained and maintained in good order in accordance with the approved details thereafter.

Reason: In the interests of nature conservation and to deliver a net biodiversity gain in accordance with PPW11 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence until full site drainage details have been submitted to approved in writing by the Planning Authority. These details shall indicate how the development is to comply with the requirements of Section 8.3 of PPW Technical Advice Note 15. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

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

5. No development shall commence until details of a scheme for the surfacing of the first 20 metres of the lane access leading from Kennard Street in permanent materials, together with its tie in with the adopted highway, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial use of the first stable.

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

6. No development shall commence until details of a scheme for the provision of parking spaces for 5 vehicles/horse boxes have been submitted to and approved in writing by the Local Planning Authority. The spaces shall be laid

out prior to the beneficial use of the development and retained for the parking of vehicles thereafter.

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.

7. Prior to the beneficial use of the development hereby approved, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected along the north-eastern site boundary of the Phase 1 area shall be submitted to and approved by the Local Planning Authority. The boundary treatment shall be completed as approved before the use is commenced.

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

8. Prior to the beneficial use of the development hereby approved, details of a scheme for the storage and management of manure and other waste shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated in accordance with the approved details thereafter.

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

9. With the exception of the south-west facing front elevation of the proposed stable block, no external lighting shall be erected or installed on site.

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

10. The stables and manège shall be used for the private stabling and use of horses associated with the members and beneficiaries of the Valley Veterans Charity and shall not be used for livery or any commercial purpose.

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

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

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



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: 21/1193/15 (KL)
APPLICANT: Rhondda Cynon Taf CBC
DEVELOPMENT: Removal of condition 13 (retaining walls) of planning permission ref: 21/0378/08.
LOCATION: YSGOL GYNRADD GYMRAEG ABERDAR, LABURNUM DRIVE, CWMDARE, ABERDARE, CF44 8RT
DATE REGISTERED: 25/08/2021
ELECTORAL DIVISION: Aberdare West/Llwydcoed

RECOMMENDATION: Approve

REASONS:

It is considered that the proposal to remove condition 13 (retaining wall details) from planning ref. 21/0378 is acceptable as the issue will be dealt with under a Design and Build Contract undertaken by the developer which would require the works to be carried out in accordance with British Standards and industry best practice. Furthermore, the developer/contractor would be required to satisfy the requirements of Section 13 of the Mid Glamorgan County Council Act 1987 and the works are therefore covered by separate legislation.

REASON APPLICATION REPORTED TO COMMITTEE

- The application has been submitted by, or on behalf of the Council or involving land owned by the Council, where the Council's interest is of more than a minor nature.

APPLICATION DETAILS

This application seeks to remove condition 13 of planning permission ref. 21/0378, which granted consent for a part two-storey, part single storey extension and associated works at Ysgol Gynradd Gymraeg Aberdar, Laburnum Drive, Cwmdare.

The previous application was granted on 26th May 2021, subject to a number of conditions.

Condition 13 of the permission states:

Prior to the construction of any retaining wall, the developer shall submit to the Local Authority details of all retaining walls to be built as part of the development, including drawings and structural calculations. The submitted details shall be accompanied by a certificate from an appropriately accredited independent consulting engineer confirming that the proposed retaining wall(s) are acceptable from a structural perspective. The approved retaining wall(s) shall be built in accordance with the agreed details. Following construction of the retaining wall(s), additional certification from an independent suitably accredited engineer confirming that the works have been constructed in accordance with the agreed details and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority.

Reason: In the interests of amenity and public safety, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

The condition was appended to the original permission as the proposal indicated that a number of retaining walls would be constructed however, no details were included.

Since the approval of the original application, the applicant has advised that the retaining walls would be designed and constructed under a Design and Build Contract which means that the contractor is responsible for designing the walls in accordance with British industry standards and best practice. The contract would also require the contractor to put right any defects that may occur following the completion of the works. It is advised that a Structural Engineer would oversee the structural elements of the works however, a Supervisor, who has a contractual responsibility, would check that the works are being/have been constructed in accordance with the Scope of Works (i.e. in compliance with the structural drawings, specifications and calculations). The Supervisor would be responsible for signing off the works as being in compliance with the Scope of Works.

SITE APPRAISAL

The application site relates to an existing Welsh-medium primary school which is located within the village of Cwmdare, Aberdare. The site extends to approximately 0.95 ha with the existing school building being located towards the northern end. The site is accessed off Laburnum Drive to the western boundary where a vehicular drop-off/pick-up loop is also provided. A staff car park is provided to the north of the existing school building whilst the remaining area consists of grass and hard-surface play areas. Ground levels within the site fall gradually from north to south however, the existing school building is situated on a flat plateau. The works approved in the previous permission have already commenced.

The surrounding area is predominantly residential in character with the nearest properties to the proposed development being located immediately adjacent to the eastern boundary (nos. 12, 14 & 15 Cherry Court). There are further properties located on the opposite side of Cherry Court (nos. 14, 17, 19, 21 & 23 Camelia Close and nos. 20 22 Sycamore Close) and to the south (nos. 1, 9, 10 & 11 Cherry Court).

PLANNING HISTORY

21/0378	Ysgol Gynradd Gymraeg Aberdar, Laburnu Drive, Cwmdare, Aberdare	Part two-storey, part single-storey extension of existing school to facilitate additional classrooms and extension to hall, together with a fully accessible Welsh-medium childcare facility. Includes a car park extension and additional hard surface play area.	Granted 26/05/21
08/1818	Ysgol Gynradd Gymraeg Aberdar, Laburnu Drive, Cwmdare, Aberdare	Eco School Green Flag	Granted 20/01/09
06/0807	Ysgol Gynradd Gymraeg Aberdar, Laburnu Drive, Cwmdare, Aberdare	Erection of demountable classroom	Granted 14/07/06
05/1912	Ysgol Gynradd Gymraeg Aberdar, Laburnu Drive, Cwmdare, Aberdare	Proposed water-tight, air-tight storage container for storage of school equipment, a free-standing portable unit.	Granted 19/12/05

PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of 5no. site notices in the vicinity of the site. No letters of objection or representation have been received.

CONSULTATION

None undertaken

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located inside the defined settlement boundary and is unallocated. The following policies are considered to be relevant in the determination of the application:

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 AW8 - seeks to preserve and enhance the natural environment, including protected and priority species.

Policy AW10 - sets out criteria for environmental protection and public health.

Policy NSA12 - identified criteria for assessment of development proposals within and adjacent to settlement boundaries

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.

Welsh Office Circular 016/14: The Use of Planning Conditions for Development Management.

Paragraph 2.4 indicates that Section 73 of the Town and Country Planning Act 1990 provides for applications to be made to vary or remove conditions attached to existing planning permissions.

Paragraph 3 states that Conditions should only be imposed on planning permissions if the conditions meet the six tests, these being:

1. Necessary
2. Relevant to planning
3. Relevant to the development to be permitted
4. Enforceable
5. Precise
6. Reasonable in all other respects

Other relevant 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 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

Planning permission (ref. 21/0378) has previously been granted for the construction of an extension and associated works at Ysgol Gynradd Gymraeg Aberdar, Laburnum Drive, Cwmdare. The works involve the construction of a number of retaining walls within the site but no details were submitted with the original application. As such, a condition (condition 13) was imposed on the consent to ensure that the walls are built to an acceptable standard.

This application seeks the removal of condition 13 under Section 73 of the Town and Country Planning Act 1990. Applications made under Section 73 allow the Local Planning Authority to do one of two things. It can: -

1. Grant consent either with or without conditions; or,
2. Refuse

The principle of the proposed development has already been established in the granting of planning permission ref. 21/0378 and the key considerations in the determination of this application is whether condition 13 is still necessary and reasonable.

As indicated previously in this the report, the applicant has indicated that the retaining walls would be designed and constructed under a Design and Build Contract which means that the contractor is responsible for designing the walls in accordance with British industry standards and best practice. The contract would also require the contractor to put right any defects that may occur following the completion of the works. It is advised that a Structural Engineer would oversee the structural elements of the works however, a Supervisor, who has a contractual responsibility, would check that the works are being/has been constructed in accordance with the Scope of Works (i.e. in compliance with the structural drawings, specifications and calculations). The Supervisor would then be responsible for signing off the works as being in compliance with the Scope of Works.

As the information provided by the applicant indicates that assurances are already in place to safeguard against any potential future problems and that the works would be carried out and supervised by qualified Structure Engineers and in accordance with British industry standards and best practice, the condition is no longer considered necessary or reasonable. Furthermore, the developer/contractor would be required to satisfy the requirements of Section 13 of the Mid Glamorgan County Council Act 1987 and the works are therefore covered by separate legislation.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is considered that the proposal to remove condition 13 (retaining wall details) from planning ref. 21/0378 is acceptable as the issue will be dealt with under a Design and Build Contract undertaken by the developer which would require the works to be carried out in accordance with British Standards and industry best practice. Furthermore, the developer/contractor would be required to satisfy the requirements of Section 13 of the Mid Glamorgan County Council Act 1987 and the works are therefore covered by separate legislation.

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 permitted shall be carried out in accordance with the approved plans and documents received on 15th March 2021 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. YGA-ASL-00-ZZ-DR-A-0100 Rev. P3: Site Location Plan
- Drawing No. YGA-ASL-00-00-DR-A-0102 Rev. P4: Proposed Ground Floor Plans
- Drawing No. YGA-ASL-00-02-DR-A-0104 Rev. P4: Proposed Roof Plans
- Drawing No. YGA-ASL-00-ZZ-DR-A-0105 Rev. P4: Proposed Site Elevations Sheet 1
- Drawing No. YGA-ASL-00-ZZ-DR-A-0106 Rev P4: Proposed Site Elevations Sheet 2
- Drawing No. YGA-ASL-00-00-DR-A-0202 Rev P6: Proposed Two Storey Extension Ground Floor Plan
- Drawing No. YGA-ASL-00-ZZ-DR-A-0204 Rev. P6: Proposed Elevations Sheet 1
- Drawing No. YGA-ASL-00-ZZ-DR-A-0205 Rev P6: Proposed South and East Elevations
- Drawing No. YGA-ASL-00-ZZ-DR-A-0206 Rev. P6: Hall Extension Elevations
- Drawing No. YGA-ASL-00-ZZ-DR-A-0209 Rev. P2: 3D Views
- Drawing No. YGA-ASL-00-ZZ-DR-L-0900 Rev P7: Landscape General Arrangement
- Drawing No. YBM-ASL-00-B1-DR-A-0101 Rev. P4: Proposed Lower Ground Floor Plans
- Drawing No. ASL-YGA-00-01-DR-A-0103 Rev. P4: Proposed First Floor Plans
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)002 Rev. P02: Drainage Long Sections
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)005 Rev. PO1: Drainage Construction Details
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)006 Rev. PO1: Attenuation Tank Details – Sheet 1
- Drawing No. 6700-BHP-VE-XX-DR-C-(50)007 Rev. PO1: Attenuation Tank Details – Sheet 2

- Drawing No. 6700-BHP-VE-XX-DR-C-(50)101 Rec. PO2: Proposed Overland Flow Routes
- Drawing No. 6700-BHP-VE-XX-DR-C-(60)001 Rev. PO1: General Arrangement
- Drawing No. 6700-BHP-VE-XX-DR-C-(60)005 Rev. PO1: External Works Construction Details
- Drawing No. 2021-008 E10 Rev. 01: Proposed External Lighting Layout
- Drawing No. FDS-36993-00-0901 Rev. PO1: Fire Sprinkler Installation – Builders Work Plan and Sections
- Document Ref. ArbTS_1060.3_YGGAberdare: Arboricultural Report (dated 8th March 2021)
- Document Ref. 1885: Archaeological Desk Based Assessment (dated November 2019)
- Document Ref. 8769/JA: Noise Impact Assessment (dated 10th March 2021)
- Document Ref. FM-SITE-020: Site Waste Management Plan (dated 17/02/2021)
- Document Ref. FM-SITE-001: Construction Management Plan (dated 17/02/2021)
- Document Ref. YGG-HYD-XX-XX-RP-GE-1000: Phase 1 Ground Conditions Desk Study (dated 16 December 2019)
- Document Ref. YGG-HYD-XX-XX-RP-GE-1002: Phase 2 Ground Investigation Report (dated 10 June 2020)

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

3. The means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted plan (60) 001 REV PO1 and approved by the Local Planning Authority. The off-street car parking shall remain for the parking of vehicles associated with both schools thereafter.

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

4. The only access permitted off Cherry Court after construction will be for maintenance vehicles only with no pedestrian access or pick up and drop off facilities permitted.

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

5. The vehicular crossover for maintenance vehicles served off Cherry Court shall be constructed in accordance with drawing No. YGA-BHP-VE-XX-DR-C-(70)00 (received by the Local Planning Authority on 25th June 2021 and agreed on 29th June 2021 - ref. 21/0843). The works shall be implemented prior to beneficial use, unless otherwise agreed in writing by the Local Planning Authority.

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

6. 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.

7. HGV's used during construction shall be restricted to 09:00am to 15:00pm 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.

8. The development shall be implemented in accordance with the Wheel Washing and Traffic Management Plan (received by the Local Planning Authority on 9th June 2021 and agreed on 26th June 2021 – ref. 21/0843). The approved details shall be maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway 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 connected to any highway drainage system unless otherwise agreed in writing by the LPA.

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

10. The balustrade at the edge of the raised walkway to the north and eastern elevations of the extension shall be erected in accordance with the approved

details (drawing no. YGA-ASL-00-00-DR-A-0502: Retaining Wall Guarding, received by the Local Planning Authority on 31st August 2021 and agreed on 24th September 2021 – ref. 21/1206). The balustrade shall be installed as per the agreed details prior to the extension being brought into beneficial use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity and privacy of neighbouring residential properties immediately adjacent to the site and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. The external lighting scheme shall be implemented in accordance with the approved details (External Lighting Lux, Lighting Details -Sirocco Park: Data Sheet received by the Local Planning Authority on 24th August 2021 and agreed on 24th September 2021 – as per Discharge of conditions ref. 21/1151)

Reason: In the interests of the amenity of neighbouring residential properties immediately adjacent to the site and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. All planting, seeding or turfing comprised in the approved details of landscaping (drawing no. YGA-ASL-00-ZZ-DR-L-0900 Rev. P7) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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 otherwise agreed in writing by the Local Planning Authority.

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.

13. Any external plant (including the sprinkler water tank) shall not exceed the plant noise limits set out in Section 8 of the approved Noise Impact Assessment.

Reason: In the interests of amenity and public safety, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. The scheme shall be implemented, retained and maintained in accordance with the approved ecological mitigation and enhancement measures (doc ref. 320025 YGG Aberdar: External Works Specification rec. 08/07/21, drawing nos. YGA-ASL-00-ZZ-DR-A-0205: Proposed Elevation Sheet 2, YGA-ASL-00-ZZ-DR-L-0900: Landscape General Arrangement, YSA-ASL-00-ZZ-DR-L-0910: Planting Plan, YGA-ASL-00-ZZ-DR-L-0930: External Works Details 01, YGA-ASL-00-ZZ-DR-L-0931: External Works Details 02, YGA-ASL-00-

ZZ-DR-L-0932: External Works Details 03, YGA-ASL-00-ZZ-DR-L-0933: External Works Details 04, received by the Local Planning Authority on 9th July 2021 and agreed on 23rd July 2021 – ref. 21/0802).

Reason: To provide biodiversity mitigation and enhancement, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

15. If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by 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. The 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 risks, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

16. No infiltration of surface water drainage into the ground site is permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

17. The piling/foundation designs shall be implemented in accordance with the approved details (Document Ref. YGA-BHP-V1-XX-SP-S-0001, Drawing No. YGA-BHP-V1-XX-DR-S-(10)001 PO1 and Drawing No. YGA-BHP-ZZ-XX-DR-S-SK03 PO3 received by the Local Planning Authority on 14th June 2021 and agreed on 30th June 2021).

Reason: To ensure there is no unacceptable risk to groundwater during construction and methods/design, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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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: 21/1088/10 (GW)
APPLICANT: Mr C Tyler
DEVELOPMENT: 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).
LOCATION: 25 THOMAS STREET, TONYPANDY, CF40 2AH
DATE REGISTERED: 27/08/2021
ELECTORAL DIVISION: Tonypandy

RECOMMENDATION: REFUSE

REASONS: The raised platform would have a detrimental impact on residential amenity from loss of privacy. The inclusion of the screen fence is considered would overcome the loss of privacy, however, the screen and platform together would have an overbearing impact.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Hughes for the matter to come to Committee for the reason that Members can consider the scale of the development and whether it will lead to overbearing impacts and the overlooking of neighbouring properties.

APPLICATION DETAILS

Previously, an application for the raised platform at the site with the addition of a proposed 1.8m privacy fence was refused (Reference 21/0442). Whilst there were concerns with overlooking, it was considered they would, on balance, be overcome by the addition of a screen. However it was considered the platform structure and screen together would lead to an unacceptable overbearing impact and the application was refused for the following reason:

“The proposal by virtue of its size, scale and design would result in a detrimental impact to the amenity of surrounding residents by overbearing. As such the proposal would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan”.

Following the refusal, the applicant has re-submitted the application for the raised platform at the rear of the dwelling. Members are advised the platform has already

been provided and the proposal is partly retrospective. The platform covers the entire garden area and is raised 2.1m above the garden level of the property. A 1.1m high hand rail is provided along its side edge with the boundary of 24 Thomas Street. An enlarged opening in the rear elevation of the dwelling has been created as access to the platform. A set of steps is provided at the rear to provide access to and from Waun Road. It is detailed the raised platform would be used as a means of fire escape.

During the application process and in the interests of clarity, clarification has been sought from the applicant as to whether the 1.8m high screen (proposed in the previous application) was to be included or not in this application. The applicant subsequently submitted updated plans clarifying the 1.8m privacy screen was to be included in the current application. This would consist of a wooden panel painted white and would be provided on the edge of the platform adjacent the boundary with 24 Thomas Street. The application was then re-advertised to neighbours to make them aware of the amendment to the proposal.

SITE APPRAISAL

The application property is a traditional terraced property on the corner of Thomas Street and Waun Road in Tonypany. The terrace is on sloping land and the adjoining properties are at a lower level. The dwelling is two storeys fronting Thomas Street and due to the sloping land is three storeys at the rear. A gate on Waun Road provides access to the rear and steps to the raised platform.

The raised platform is at the ground floor level of the dwelling adjacent to a part-width rear projection. An enlarged opening in the rear elevation of the dwelling has been created as access to the platform. The platform is raised above the garden level of the property and boundary treatment with the adjacent dwellings due to the sloping land.

PLANNING HISTORY

21/0442/10: 25 THOMAS STREET, TONYPANDY, CF40 2AH

Raised platform at the rear of residential 3 storey home to be used as means of fire escape. (Amended Plan detailing screen fence received 21st May 2021).

Decision: 29/06/2021, Refuse

PUBLICITY

The application was originally advertised by direct notification. No letters of objection or representation were received.

Following updated plans being received that clarified a 1.8m privacy screen would be provided, the application was re-advertised by direct neighbour notification. One response from a neighbour was received and the comments relevant to the planning application are summarised below:

- A higher fence is not necessary as all the surrounding gardens have always been clearly visible from the kitchen and bedroom windows of the property.

CONSULTATION

None undertaken

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

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

Supplementary Planning Guidance: A Design Guide for Householder Development

National Guidance

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

Future Wales: The National Plan 2040 (FW2040) and Planning Policy Wales Edition 11 (PPW) sets out the Welsh Government's (WG) current position on planning policy. 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.

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

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

Other relevant national policy guidance consulted:
PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to an extension to an existing residential dwelling. The principle of development could therefore be considered acceptable. However, in this case, it is considered the proposal would result in an unacceptable overbearing impact to the surrounding properties.

Impact on residential amenity.

The raised platform has been constructed adjacent the side of the rear projection of number 25 Thomas Street and is open on the side facing the neighbouring properties (albeit it has a low handrail). It is noted the dwelling's existing windows, on the side of the rear projection, already overlook neighbouring gardens to some extent. However, whilst the applicant states the platform would only be used as a fire escape, the platform has a relatively large area and could be used as amenity space. It would be closer to neighbouring properties than the existing windows on the dwelling and would allow greater views over neighbouring gardens and back in to the windows on the rear elevations of nearby dwellings. Therefore, it is considered the platform as constructed, would have a detrimental impact on the amenity of the occupiers of neighbouring dwellings from overlooking and loss of privacy.

The applicant has amended the current application and proposes to place a 1.8m high screen fence along the edge of the raised platform. An neighbour living nearby states the fence is not necessary as there is existing overlooking from the kitchen and lounge windows of the dwelling. As detailed above, the overlooking from the raised platform is however considered more significant than from the existing windows. Therefore, such a screen would prevent overlooking and would, in the main, protect the privacy of the occupiers of neighbouring properties.

In the previous application (21/0442) it was however argued that the 1.8m screen (and existing boundary treatment) would result in a tall elevation along the whole of the side boundary of number 24 Thomas Street and this would have an overbearing impact on the occupiers of that dwelling. Furthermore, it is noted the garden level of number 24 is at a lower level relevant to the application dwelling number 25, which would exacerbate the situation. It is recognised that local residents have not raised objections on the grounds of an overbearing impact. Members are advised this should however not outweigh the above consideration, as the amenity of potential future occupiers of nearby dwellings and others in the surrounding area should also be considered.

Therefore, taking into account the above assessment, the raised platform with the 1.8m screen is recommended for refusal due to the impact from overbearing. Furthermore, if a privacy screen fence was not provided, it would overcome the overbearing issue, but would result in what is considered unacceptable overlooking and a loss of privacy.

Impact on the character and appearance of the area.

The platform, as constructed, is raised above the top of the boundary treatment with number 24 Thomas Street. As a result, the platform and hand rail have a disjointed visual appearance from the existing boundary treatment and building. It is considered the addition of the 1.8m wooden screen fence would exacerbate the poor visual appearance, however, on balance, it is not considered this issue would justify a refusal reason.

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 have a detrimental impact on the residential amenity of the surrounding neighbouring properties from overbearing. The application is therefore considered contrary to the relevant policy of the Local Development Plan (AW5).

RECOMMENDATION: Refuse

1. The proposal by virtue of its size, scale and design would result in a detrimental impact to the amenity of surrounding residents by way of significant overbearing. As such the proposal would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

21 OCTOBER 2021

INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN

UNDER DELEGATED POWERS

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

1. PURPOSE OF THE REPORT

To inform Members of the following, for the period 27/09/2021 – 08/10/2021

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

2. RECOMMENDATION

That Members note the information.

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

PLANNING & DEVELOPMENT COMMITTEE

21 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

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

OFFICER TO CONTACT

**Mr. J. Bailey
(Tel: 01443 281132)**

See Relevant Application File

No new appeals received
No new appeal decision received

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Penywaun

21/1169/10 Decision Date: 06/10/2021
Proposal: Two storey side extension with roof dormers (granny annexe).
Location: 30 DERLWYN, PEN-Y-WAUN, ABERDARE, CF44 9LR

Aberdare West/Llwydcoed

21/0958/10 Decision Date: 05/10/2021
Proposal: Proposed extension to accommodate additional disabled accessible facilities.
Location: ST LUKES CHURCH HALL, QUEEN STREET, CWMDARE, ABERDARE, CF44 8TT

Aberdare East

21/0990/10 Decision Date: 01/10/2021
Proposal: Proposed first floor rear extension.
Location: 1 YNYSLLWYD STREET, ABERDARE, CF44 7NP

21/1161/10 Decision Date: 08/10/2021
Proposal: Proposed rear garage and garden store.
Location: 12 FORGE PLACE, ABER-NANT, ABERDARE, CF44 0SD

Cwmbach

21/1117/01 Decision Date: 06/10/2021
Proposal: Advertisement consent for the erection of 2no. gable fascia signs, 1no. wall mounted advertisement, 3no advertisement billboards, 1no. Lidl flagpole sign and 1 no. poster display unit.
Location: LAND AT FFORDD TIRWAUN, CWM-BACH, ABERDARE, CF44 0AH

21/1131/01 Decision Date: 05/10/2021
Proposal: Erection of 4no. advertising signs on roundabout.
Location: ROUNDABOUT, GASWORKS ROAD, (ASDA) ABERDARE, CF44 6RS

Abercynon

21/1077/10 Decision Date: 28/09/2021
Proposal: Installation of two self service car wash bays (amended application form received 02/09/2021).
Location: TEXACO ABERCYNON SERVICE STATION, A470 NORTHBOUND, ABERCYNON, CF45 4YX

21/1153/10 Decision Date: 27/09/2021
Proposal: Rear ground floor extension.
Location: 3 GERTRUDE STREET, ABERCYNON, MOUNTAIN ASH, CF45 4RL

Report for Development Control Planning Committee

Ynysybwl

21/0309/10

Decision Date: 04/10/2021

Proposal:

Semi independent supported annexe directly associated with main care facility.

Location:

SWANTON CARE LIMITED, TYN Y WERN, WINDSOR PLACE, YNYS-Y-BWL, PONTYPRIDD, CF37 3LY

Aberaman North

21/1216/15

Decision Date: 08/10/2021

Proposal:

Variation of conditions 1 (time limit), 3, 4 and 5 (site contamination) and 7 (site drainage) of 16/0364/10.

Location:

GAS WORKS DEPOT, GASWORKS ROAD INDUSTRIAL EST, ABERAMAN, ABERDARE, CF44 6RS

Aberaman South

21/0908/10

Decision Date: 04/10/2021

Proposal:

Single storey rear extension and raised patio area.

Location:

1 PWLLFA ROAD, CWMAMAN, ABERDARE, CF44 6NT

Cwm Clydach

21/0860/10

Decision Date: 30/09/2021

Proposal:

Ground floor extension, decking & shed (Amended plans received 15/09/2021).

Location:

40 RAILWAY TERRACE, CLYDACH, TONYPANDY, CF40 2DA

Tonypandy

21/1242/10

Decision Date: 04/10/2021

Proposal:

Single storey extension.

Location:

10 ADARE TERRACE, TONYPANDY, CF40 1DJ

Cymmer

21/1180/10

Decision Date: 01/10/2021

Proposal:

Retention of 146cm high gates on driveway.

Location:

4 TREM-Y-GLYN, TREBANOG, PORTH, CF39 9AJ

Ferndale

21/0697/10 Decision Date: 29/09/2021
Proposal: Construction of a new 3 bedroom dwelling.
Location: SITE OF FORMER 19 MIDDLE ROW, BLAENLLECHAU, FERNDALE

21/1150/10 Decision Date: 29/09/2021
Proposal: Erection of a wooden outbuilding and raised platform area - retrospective.
Location: 13 GRAIG TERRACE, FERNDALE, CF43 4EU

Maerdy

21/1023/10 Decision Date: 08/10/2021
Proposal: Retrospective for outbuilding in front garden.
Location: THE CLUB HOUSE, MAERDY CON CLUB, RICHARD STREET, MAERDY, FERNDALE, CF43 4AN

Town (Pontypridd)

21/0900/10 Decision Date: 27/09/2021
Proposal: Extend path to allow access via french doors, path to be raised 75cm, relocation of steps.
Location: WEST BANK, PENCERRIG STREET, PONTYPRIDD, CF37 2HS

21/1118/10 Decision Date: 30/09/2021
Proposal: Proposed extension to side with a single storey lean to at front.
Location: 33 LANWOOD ROAD, GRAIG-WEN, PONTYPRIDD, CF37 2EP

Rhondda

21/1082/10 Decision Date: 01/10/2021
Proposal: Part single storey and part first floor extension.
Location: 85 MOUND ROAD, MAES-Y-COED, PONTYPRIDD, CF37 1EF

Treforest

21/0617/10 Decision Date: 04/10/2021
Proposal: Proposed two bedroom annexe ancillary to and in the grounds of Central Guest House, Stow Hill, Pontypridd.
Location: CENTRAL GUEST HOUSE, STOW HILL, TREFOREST, PONTYPRIDD, CF37 1RZ

Llantwit Fardre

21/1144/10 Decision Date: 27/09/2021
Proposal: Single storey extension.
Location: 3 HIBISCUS COURT, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NQ

21/1192/15 Decision Date: 08/10/2021
Proposal: Variation of Condition 1 (expiry date) of planning permission 16/0900/10
Location: 18 HEOL-Y-FFYNNON, EFAILISAF, PONTYPRIDD, CF38 1AU

Tonteg

21/1092/10 Decision Date: 27/09/2021
Proposal: 2 storey front extension.
Location: 27 FAIRMOUND PLACE, TON-TEG, PONTYPRIDD, CF38 1NH

21/1141/30 Decision Date: 28/09/2021
Proposal: Construct a winter fodder store building at Ynysgau Farm.
Location: YNYSGAU FARM, MAIN ROAD, THE GARTH, TAFF'S WELL, CARDIFF, CF15 9HJ

21/1263/09 Decision Date: 30/09/2021
Proposal: Single storey extension to rear of property.
Location: 29 THE DELL, TON-TEG, PONTYPRIDD, CF38 1TG

Tonyrefail West

21/0870/10 Decision Date: 04/10/2021
Proposal: Single storey rear extension and change of use of former footpath to garden curtilage (Amended plans received and description amended 09/09/2021) (Further amended plans received 22/09/2021).
Location: 20 HEOL DINAS ISAF, WILLIAMSTOWN, TONYPANDY, CF40 1NG

21/1158/10 Decision Date: 01/10/2021
Proposal: Pergola / gazebo with the addition of a side panel on the southern side.
Location: 2 NANT-Y-COED, THOMASTOWN, TONYREFAIL, PORTH, CF39 8FB

Tonyrefail East

21/1075/10 Decision Date: 05/10/2021
Proposal: Change of use of land to garden curtilage and construction of two storey side extension (re-submission of 21/0138/10).
Location: 5 THE MEADOWS, COEDEL, TONYREFAIL, PORTH, CF39 8BS

Talbot Green

21/1011/10 Decision Date: 08/10/2021
Proposal: Two storey extension.
Location: 20 HEOL MILES, TALBOT GREEN, PONTYCLUN, CF72 8HU

21/1230/10 Decision Date: 07/10/2021
Proposal: Two storey side extension
Location: 8 FOREST HILLS DRIVE, TALBOT GREEN, PONTYCLUN, CF72 8JB

Pontyclun

21/0979/10 Decision Date: 29/09/2021
Proposal: Ground floor side extension.
Location: 70 HEOL-Y-COED, PONTYCLUN, CF72 9AT

21/1111/10 Decision Date: 06/10/2021
Proposal: Single storey extension at rear and small extension to front.
Location: 10 FAIR VIEW CLOSE, PONT-Y-CLUN, PONTYCLUN, CF72 9EP

Llanharry

21/1106/10 Decision Date: 05/10/2021
Proposal: Proposed change of use of existing unit from class B1/B2/B8 to class D2 role play centre incorporating an ancillary cafe.
Location: UNIT 7 C4, HEPWORTH BUSINESS PARK, TALBOT GREEN

Llanharan

21/0552/10 Decision Date: 27/09/2021
Proposal: First floor extension over garage.
Location: 31 TERRY'S WAY, LLANHARAN, PONTYCLUN, CF72 9UJ

21/0835/10 Decision Date: 07/10/2021
Proposal: Proposed two storey side extension, front and rear ground floor extensions, and dropped curb to the front of the property.
Location: 26 ARGOED AVENUE, LLANHARAN, PONTYCLUN, CF72 9PJ

21/1105/10 Decision Date: 05/10/2021
Proposal: Two storey side extension.
Location: 9 VALE VIEW, LLANHARAN, PONTYCLUN, CF72 9QX

Brynna

21/1132/01

Decision Date: 05/10/2021

Proposal:

4 no. advertising signs at roundabout exits.

Location:

ROUNABOUT NEAR DRAGON STUDIOS A473 BRYNNA

Total Number of Delegated decisions is 38

Aberdare West/Llwydcoed

21/0847/10

Decision Date: 27/09/2021

Proposal: Proposed dwelling.

Location: LAND ADJACENT TO 16 WELLINGTON STREET, ROBERTSTOWN, ABERDARE, CF44 8EW

Reason: 1 The proposed development would be contrary to Policy AW10 of the Rhondda Cynon Taf Local Development Plan, Planning Policy Wales and Technical Advice Note 15: Development and Flood Risk, in that it proposes highly vulnerable (residential) development within a C2 flood zone, without appropriate justification.

Reason: 2 The proposed development would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales for the following reasons:

The proposed development encroaches onto the publicly maintained highway increasing hazards to the detriment of safety of all highway users.

The applicant is not in control of the land required to provide a dwelling in accordance with the submitted plans.

The proposed development will generate on-street parking in close proximity to the nearby road bend with limited visibility thus creating hazards to the detriment of highway and pedestrian safety.

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

Report for Development Control Planning Committee

Treherbert

21/0845/10 Decision Date: 29/09/2021

Proposal: Addition of first floor to existing garage.

Location: 38 MOUNT LIBANUS STREET, TREHERBERT, TREORCHY, CF42 5RH

Reason: 1 The proposed garage arising from its design, scale and elevated nature would form an unsympathetic, overly excessive and inharmonious form of development that would subsequently harm the character and appearance of the surrounding locality. As such, the scheme is contrary to Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan.

The proposed garage, arising from its elevated nature and excessive scale would represent an 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 policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

Tylorstown

21/1012/10 Decision Date: 08/10/2021

Proposal: Two storey side and rear extension and alterations to existing property to create 2no. self contained flats. Gabion basket retaining walls to form terracing of front amenity space.

Location: 5 WESLEY VILLAS, KEITH STREET, TYLORSTOWN, FERNDAL, CF43 3DS

Reason: 1 The proposed extensions and gabion baskets would represent a visually incongruous form of development which would have a detrimental impact on the character and appearance of the surrounding area. In the absence of an appropriate ecology survey, insufficient information has been submitted to demonstrate that the consequences associated with the impact upon protected species can be adequately managed.

The proposed residential use, in the form of the ground floor self-contained flat, would result in the creation of poor quality living accommodation for future occupiers.

As such the proposal is contrary to Policy AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan and the Council's adopted Supplementary Planning Guidance (SPG) on Development of Flats Supplementary Planning Guidance and A Design Guide for Householder Development.

Report for Development Control Planning Committee

Ferndale

21/1140/10

Decision Date: 07/10/2021

Proposal: Change of use from a commercial unit into 3 flats.

Location: 63 HIGH STREET, FERNDAL, CF43 4RR

Reason: 1 The proposed residential use, in the form of 3 no. flats is considered to represent an inappropriate development that would result in the creation of poor quality living accommodation contrary to the Council's Supplementary Planning Guidance: Development of Flats – Conversion and New Build and Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Total Number of Delegated decisions is 4

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