



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

GWŶS I GYFARFOD PWYLLGOR

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

Dolen gyswllt: Kate Spence - Gwasanaethau Democrataidd (07747485566)

Bydd cyfarfod hybrid o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal ar **DYDD IAU, 18FED AWST, 2022** am **3.00 PM**.

Bwriedir i'r cyfarfod yma gael ei weddarlledu'n fyw, mae rhagor o fanylion am hyn [yma](#)

MAE MODD I AELODAU NAD YDYN NHW'N AELODAU O'R PWYLLGOR AC AELODAU O'R CYHOEDD OFYN I ANNERCH Y PWYLLGOR YN YSTOD Y CYFARFOD SY'N YMWNEUD Â'R MATER SYDD WEDI'I NODI. RYDYN NI'N GOFYN EICH BOD CHI'N RHOI GWYBOD AM EICH BWRIAD I SIARAD DRWY E-BOSTIO GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK ERBYN 5PM AR DYDD MAWRTH, 16 AWST 2022, GAN NODI A FYDDWCH CHI'N SIARAD YN GYMRAEG NEU'N SAESNEG.

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

AGENDA

Tudalennau

1. DATGAN BUDDIANT

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

Noder:

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

2. DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU

Nodi y dylai Aelodau o'r Pwyllgor, pan fyddan nhw'n trafod y materion rheoli datblygu ger eu bron, roi ystyriaeth i'r Cynllun Datblygu a, cyn belled â'u bod yn berthnasol, i geisiadau ac i ystyriaethau eraill. Pan fyddan nhw'n gwneud penderfyniadau, rhaid i Aelodau sicrhau nad ydyn nhw'n gweithredu'n groes i'r Confensiwn ar Hawliau Dynol fel y'i hymgorfforwyd mewn deddfwriaeth gan Ddeddf Hawliau Dynol 1998.

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

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

4. COFNODION 21.07.22

Cadarnhau cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 21.07.22 yn rhai cywir.

5 - 10

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

5. CAIS RHIF: 21/1073

Annedd Sengl. (Derbyniwyd y ffin goch ddiwygiedig ar 26/01/22) **TIR GER 23 GLAN-YR-AFON, TREORCI.**

11 - 24

6. CAIS RHIF: 21/1440

Amrywio amod 1 - terfyn amser y caniatâd cynllunio 12/0367/10. (Derbyniwyd Archwiliad o Strwythurau Ystlumod a'r Aseiad Ecolegol ar 04/03/22) **NEUADD YR EGLWYS, LLYS TYLCHA FAWR, TONYREFAIL.**

25 - 36

7. CAIS RHIF: 21/1555

Rhyddhau amod 13 - lefelau tir presennol a lefelau tir/llawr gorffenedig arfaethedig ar gyfer caniatâd cynllunio 18/1411/10. (Derbyniwyd cynlluniau diwygiedig ar 21/04/2022) **HEN YSGOL GYNRADD GYMRAEG LLANTRISANT, STRYD YR YSGOL, LLANTRISANT, CF72 8EN.**

- 37 - 48**
- 8. CAIS RHIF: 22/0585**
Estyniad dwbl i gefn yr eiddo **85 HEOL Y TYLE, MAES-Y-COED, PONTYPRIDD, CF37 1EF.**
- 49 - 54**
- 9. CAIS RHIF: 22/0679**
Cais Amlinellol ar gyfer hyd at 15 o dai gan gynnwys mynediad, maes parcio, system ddraenio, ardaloedd bioamrywiaeth a gwaith allanol ategol. **TIR GER CILGANT BURGESSE, LLANTRISANT, CF72 8QB.**
- 55 - 74**
- 10. CAIS RHIF: 22/0728**
Newid defnydd y llawr gwaelod o Ddosbarth A3 (Bwyd a Diod) i Ddosbarth C3 (Fflat Breswyl). **LLANTWIT HOUSE, SHAZS INDIAN TAKEAWAY, Ffordd LLANTRISANT, LLANILLTUD FAERDREF, CF38 2LT.**
- 75 - 86**

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

- 11. CAIS RHIF: 22/0769**
Annedd ar wahân, ffurfio'r tir, ehangu'r mynediad a maes parcio (Ailgyflwyno cais 21/1662/10). **TIR I'R GORLLEWIN O RANDIR HEOL LLECHAU, HEOL LLECHAU, WATTSTOWN, PORTH.**
- 87 - 96**

ARCHWILIAD O'R SAFLE

- 12. CAIS RHIF: 21/1690**
Bwriad i adeiladu annedd newydd gyda garej ynghlwm (Ailgyflwyno 21/1208/10) (Ffin llinell goch ddiwygiedig wedi dod i law 10/03/2022), **TIR GER CARTREF MELYS, HEOL LLECHAU, WATTSTOWN, PORTH.**
- 97 - 106**

CEISIADAU WEDI'U GOHIRIO

- 13. CAIS RHIF: 22/0263**
Trosi'r islawr yn fflat stiwdio hunangynhwysol **2 SCRANTON VILLAS, STRYD FAWR, CYMER, PORTH, CF39 9EU.**
- 107 - 118**

ADRODDIAD ER GWYBODAETH

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

Rhoi gwybod i'r Aelodau am y canlynol, ar gyfer y cyfnod 25/07/2022 – 05/08/2022.

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

119 - 130

15. MATERION BRYD

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

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu

Cylchrediad: -

Aelodau o'r Pwyllgor Cynllunio a Datblygu:

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

Y Cynghorydd J Bonetto, Y Cynghorydd D Grehan, Y Cynghorydd G Hughes,
Y Cynghorydd C Middle, Y Cynghorydd W Owen, Y Cynghorydd J Smith,
Y Cynghorydd L A Tomkinson, Y Cynghorydd D Williams ac Y Cynghorydd R Williams

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

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

Cofnodion o gyfarfod hybrid y Pwyllgor Cynllunio a Datblygu a gynhaliwyd
Dydd Iau, 21 Gorffennaf 2022 am 3.00 pm

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

Siambr y Cyngor

Y Cynghorydd S Rees (Cadeirydd) Y Cynghorydd J Bonetto
Y Cynghorydd G Hughes Y Cynghorydd C Middle
Y Cynghorydd J Smith Y Cynghorydd L A Tomkinson

Zoom

Y Cynghorydd W Lewis Y Cynghorydd W Owen
Y Cynghorydd D Williams

Swyddogion oedd yn bresennol: -

Siambr y Cyngor

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

Y Cynghorwyr Bwrdeistref Sirol eraill oedd yn bresennol: -

Siambr y Cyngor

Y Cynghorydd W Hughes

Zoom

Y Cynghorydd G Caple Y Cynghorydd K Morgan
Y Cynghorydd A Rogers

17 CROESO AC YMDDIHEURIADAU

Daeth ymddiheuriadau am absenoldeb gan Gyngorwyr y Fwrdeistref
Sirol D Grehan a R Williams.

18 DATGAN BUDDIANT

Yn unol â Chod Ymddygiad y Cyngor, ni wnaethpwyd unrhyw
ddatganiadau mewn perthynas â'r Agenda.

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

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

20 DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

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

21 NEWID I DREFN YR AGENDA

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

22 CAIS RHIF: 22/0492

Ardal barcio (ôl-weithredol) a mynediad cwrw isel dros lwybr troed cyhoeddus. 36 HEOL ABER-RHONDDA, PORTH, CF39 0BB

Yn dilyn trafodaeth, **PENDERFYNWYD** gohirio'r cais er mwyn cynnal Ymweliad Safle gan y Pwyllgor Cynllunio a Datblygu. Bwriad hyn oedd ystyried effaith y datblygiad arfaethedig ar y briffordd.

23 CAIS RHIF: 22/0263

Trosi'r islawr yn fflat stiwdio hunangynhwysol 2 SCRANTON VILLAS, STRYD FAWR, CYMER, PORTH, CF39 9EU.

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Andrew Evans (Ymgeisydd). Cafodd e bum munud i gyflwyno'r cais uchod i'r Aelodau.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol G. Caple, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei wrthwynebiad i'r datblygiad arfaethedig oherwydd materion sy'n ymwneud â diogelwch y priffyrdd.

Cyflwynodd y Pennaeth Materion Cynllunio ei gais i'w Pwyllgor ac, yn

dilyn trafodaeth, penderfynodd yr Aelodau wrthod y cais uchod, yn groes i argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu. Roedd hyn am fod yr Aelodau o'r farn nad oedd safon y llety'n ddigon da. O ganlyniad i hynny, cair mater ei ohirio tan y cyfarfod priodol nesaf o'r Pwyllgor Cynllunio a Datblygu fel bod modd derbyn adroddiad gan y Cyfarwyddwr Materion Ffyniant a Datblygu, a gaiff ei lunio drwy ymgynghori â Chyfarwyddwr y Gwasanaethau Cyfreithiol yn ôl yr angen. Bydd yr adroddiad yn tynnu sylw at y cryfderau a'r gwendidau posibl sydd ynghlwm â gwneud penderfyniad yn groes i argymhelliad swyddog, neu unrhyw reswm arfaethedig neu reswm cynllunio dros wneud penderfyniad o'r fath. Caiff yr adroddiad yma ei ystyried cyn dod i benderfyniad ar y mater.

24 CAIS RHIF: 22/0044

Cyfleuster parcio ceir ar dir gyferbyn ag 11-16 Heol Brithweunydd (Ôl-weithredol). TIR YN HEOL BRITHWEUNYDD, TREALAW, TONYPANDY.

Yn unol â'r gweithdrefnau sydd wedi'u mabwysiadu, derbyniodd y Pwyllgor Dean Rees (Cynrychiolydd yr Ymgeisydd). Cafodd bum munud i gyflwyno'r cais uchod i'r Aelodau.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol W. Hughes, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei bryderon ynglŷn â materion parcio ar y stryd sy'n ymwneud â'r datblygiad arfaethedig.

Amlinellodd y Pennaeth Cynllunio gynnwys llythyr 'hwyr' a dderbyniwyd oddi wrth un o drigolion Heol Brithweunydd, yn amlygu pryderon ynghylch parcio ar safle'r datblygiad arfaethedig.

Cyflwynodd Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafod y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu.

25 CAIS RHIF: 22/0597

Cynnig i adeiladu estyniad ac ehangu eiddo presennol Sigma 3 (Kitchens) Ltd, yn ogystal â gwaith cysylltiedig. (Derbyniwyd cynllun tirlunio ac asesiad o'r effaith ar yr amgylchedd (EIA) diwygiedig ar 20 Mehefin 2022) SIGMA 3 KITCHENS LTD, PARC BUSNES LLANTRISANT, LLANTRISANT, PONT-Y-CLUN, CF72 8LF.

Yn unol â'r gweithdrefnau sydd wedi'u mabwysiadu, derbyniodd y Pwyllgor James Scarborough (Asiant). Cafodd e bum munud i gyflwyno'r cais uchod i'r Aelodau.

Cyflwynodd y Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafod

y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu.

26 CAIS RHIF: 21/1070

Adnewyddu ac adfer tŷ fferm (derbyniwyd ffin llinell goch ac Adroddiad Strwythurol wedi'i ddiweddarau ar 01/04/22) FFERM CYNLAS, FFORDD Y RHIGOS, RHIGOS, ABERDÂR.

Yn unol â'r gweithdrefnau sydd wedi'u mabwysiadu, derbyniodd y Pwyllgor Mr Callum Summerill (Ymgeisydd). Cafodd bum munud i gyflwyno'r cais uchod i'r Aelodau.

Siaradodd yr Aelod Lleol, Cyngorydd y Fwrdeistref Sirol K Morgan, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei chefnogaeth o'r datblygiad arfaethedig.

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

27 CAIS RHIF: 21/0747

Amrywio Amod 1 yng nghais cynllunio rhif: 17/0195/13 i ganiatáu cyfnod o 3 blynedd arall ar gyfer cyflwyno materion sydd wedi'u cadw'n ôl (Derbyniwyd yr Adolygiad Ecolegol ar 24/03/22) TIR Y TU ÔL I DERAS SIÔN, CWM-BACH, ABERDÂR, CF44 0AT.

Cyflwynodd Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafod y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr - Materion Ffyniant a Datblygu, yn amodol ar gwblhau cytundeb adran 106 sy'n gofyn am:

- dim llai na 10% o'r anheddau fel unedau cost isel tair llofft ar ffurf tai; a
- cynllun rheoli manau agored cyhoeddus a oedd yn cynnwys sefydlu, dylunio a rheoli ardal lliniaru ecolegol o safbwynt hirdymor.

28 CAIS RHIF: 21/1283

Newid defnydd y llawr gwaelod o Ddosbarth Defnydd A2 (Swyddfa Fetio) i Ddosbarth Defnydd A3 (Siop Gludfwyd) a gosod fflw echdynnu ar gefn yr eiddo ar gyfer y defnydd newydd (Derbyniwyd Cynlluniau Diwygiedig ar 01/11/21) (Derbyniwyd yr Asesiad Sŵn ac Arogl ar 01/02/22) LADBROKES PLC, 45 HEOL YNYS-HIR, YNYS-HIR,

PORTH, CF39 0EL.

Amlinellodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol gynnwys llythyr 'hwyr' a ddaeth i law gan Nassir Manan Mahmood a oedd yn cefnogi'r cais.

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais i'r Pwyllgor ac yn dilyn trafodaeth hirfaith **PENDERFYNWYD** gohirio penderfynu ar y cais i gyfarfod o'r Pwyllgor Cynllunio a Datblygu yn y dyfodol er mwyn galluogi swyddogion i gasglu gwybodaeth bellach mewn perthynas ag adran lechyd y Cyhoedd o ran yr effaith ar amwynder eiddo sydd y tu ôl i'r datblygiad arfaethedig.

29 CAIS RHIF: 21/1641

Ailadeiladu estyniad i'r cefn, gosod drws newydd yn y fynedfa, codi uchder y crib, creu ardal iard gaeëdig a gwaith adnewyddu cyffredinol. HEN DAFARN Y BUTE ARMS, FFORDD LLANTRISANT, PONT-Y-CLUN, CF72 9DP.

Amlinellodd y Pennaeth Materion Cynllunio gynnwys dau lythyr 'hwyr' a ddaeth i law gan yr Asiant (ar ran Perchennog yr eiddo sydd ynghlwm) a gan Berchennog yr eiddo sydd ynghlwm (Rhif 3 a Rhif 5), yn gwrthwynebu'r datblygiad arfaethedig.

Cyflwynodd Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafod y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu.

30 CAIS RHIF: 22/0138

Newid defnydd y llawr gwaelod o Ddosbarth Defnydd A2 (Swyddfa Fetio) i Ddosbarth Defnydd A3 (Siop Gludfwyd) a gosod ffliw echdynnu ar gefn yr eiddo ar gyfer y defnydd newydd (Derbyniwyd Cynlluniau Diwygiedig ar 01/11/21) (Derbyniwyd yr Aseiad Sŵn ac Arogl ar 01/02/22) LADBROKES PLC, 45 HEOL YNYS-HIR, YNYS-HIR, PORTH, CF39 0EL.

Amlinellodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol gynnwys llythyr 'hwyr' a ddaeth i law gan Nassir Manan Mahmood yn cefnogi'r cais.

Cyflwynodd y Pennaeth Materion Datblygu a Buddsoddi Sylweddol y cais i'r Pwyllgor ac yn dilyn trafodaeth **PENDERFYNWYD** gohirio penderfynu ar y cais i gyfarfod o'r Pwyllgor Cynllunio a Datblygu yn y dyfodol er mwyn galluogi swyddogion i gasglu gwybodaeth bellach mewn perthynas ag adran lechyd y Cyhoedd o ran yr effaith ar amwynder eiddo sydd y tu ôl i'r datblygiad arfaethedig.

31 CAIS RHIF: 22/0220

Diwygiad ansylweddol i gais 18/0204/10: Deunyddiau diwygiedig i wynebaw. THE DRAGON INN (HEN DAFARN THE BRIDGE INN) A RHIF 1 STRYD SARON, TREFFOREST, PONTYPRIDD, CF37 1TF.

Cyflwynodd y Pennaeth Materion Cynllunio y cais i'r Pwyllgor ac ar ôl trafodaeth, **PENDERFYNWYD** cymeradwyo'r diwygiad ansylweddol.

32 CAIS RHIF: 22/0413

Bloc ystafelloedd dosbarth 2 lawr i'w adeiladu yn rhan o Gam 1, gyda 4 ystafell ddosbarth ar y llawr isaf, a Cham 2 sy'n cynnwys 4 ystafell ddosbarth ar y llawr cyntaf, a gwaith cysylltiedig. (Derbyniwyd Cynllun Teithio a Datganiad Trafnidiaeth Diwygiedig ar 12/4/22, derbyniwyd Aseiad Risg Mwyngloddio Glo (CMRA) ar 15/6/22) YSGOL GYFUN Y PANT, HEOL Y BONT-FAEN, TONYSGUBORIAU, PONT-Y-CLUN, CF72 8YQ.

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

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

PENDERFYNODD yr Aelodau dderbyn adroddiad Cyfarwyddwr Gwasanaeth – Materion Cynllunio mewn perthynas â Phenderfyniadau Apeliadau Cynllunio a Gorfodi a oedd wedi dod i law, Ceisiadau wedi'u Cymeradwyo a'u Gwrthod gyda rhesymau trwy'r drefn Penderfyniadau wedi'u Dirprwyo, Crynodeb o'r Achosion Gorfodi a Phenderfyniadau Gorfodi trwy'r drefn Ddirprwyo ar gyfer y cyfnod 27/06/2022 –08/07/2022.

Daeth y cyfarfod i ben am 4.40 pm

**Y Cyngorydd S Rees
Cadeirydd.**

PLANNING & DEVELOPMENT COMMITTEE

18 AUGUST 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1073/13 (JE)
APPLICANT: Mr J Searle
DEVELOPMENT: Single dwelling. (Amended Redline Boundary and Plans received 26/01/22)
LOCATION: LAND ADJACENT TO 23 GLAN-YR-AFON, TREORCHY
DATE REGISTERED: 26/01/2022
ELECTORAL DIVISION: Treorchy

RECOMMENDATION: APPROVE

REASONS:

The principle of residential development at the site is acceptable. Furthermore, the proposed development is considered acceptable in respect of its visual impact, its potential impact upon the amenity and privacy of the neighbouring properties, and its potential impact upon highway safety in the vicinity of the application site.

REASON APPLICATION REPORTED TO COMMITTEE:

- 3 or more letters of objection have been received.

APPLICATION DETAILS

Outline planning permission is sought for a single detached dwelling at land adjacent to 23 Glan-Yr-Afon, Treorchy.

The application is made in outline with all matters reserved for future consideration. The application is accompanied by an indicative layout plan which indicates that development could take place towards the centre of the site. The layout plan also indicates that vehicular access would be provided via a highway at Glan-Yr-Afon.

As scale is a matter reserved for future consideration, a minimum-maximum range is provided for the depth, width and height of the dwellings, these have been derived from the supporting plans and information, as follows.

	Minimum	Maximum
Width	6m	7m
Depth	8.5m	8.5m
Height	6.7m	7.7m

This application is supported by:

- Coal Mining Risk Assessment

Members are advised that following initial highway concerns in relation to parking and access, a revised redline boundary and amended plans were submitted on the 26/01/22. These plans increased the area of the of the site to include turning and parking facilities.

SITE APPRAISAL

The application site is an irregular parcel of land located within a residential area of Treorchy. The site extends to approximately 201m² and is located towards the southern end of Glan-Yr-Afon. The site is accessed from Glan-Yr-Afon and is elevated from the level of the highway with a dwarf wall and embankment along its boundary with the highway, with the area towards the centre more level in nature. The site is largely covered in low level vegetation and grass with more mature vegetation located along the riverbank to the south and west. The site is bounded by 23 Glan-Yr-Afon to the north, the Rhondda Fawr River to the south and west and the highway at Glan-Yr-Afon to the east beyond which is the rear gardens of properties at Glynrhondda Street.

PLANNING HISTORY

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

PUBLICITY

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

5 letters of objection and a petition of 53 individual signatures have been received from the occupiers of neighbouring properties. The points raised have been summarised below:

- Scale of site would mean that development would undermine riverbank and neighbouring foundations
- Sewer in close proximity to site
- Loss of privacy

- Loss of light
- Loss of access to rear of properties
- No parking proposed. Area already has parking problems
- Loss of mature trees
- Site not large enough to safely construct a dwelling
- Overlooking of properties at Glynrhondda Street
- Sinkhole in proximity to site will be affected by machinery and construction
- Devaluation of property value
- Access for emergency vehicles would be restricted
- Ground stability issues
- Compromise access to garage and undermine the existing lane and riverbank
- Impact on wildlife

CONSULTATION

Transportation Section: No objection raised subject to condition.

Structural Engineer: No objection raised subject to condition.

Dwr Cymru/ Welsh Water: Standard consultation response received noting the potential proximity of DCWW assets to the site, and requesting an informative note to the applicant is appended to any consent.

Flood Risk Management (Drainage): No objection.

The Coal Authority: No objection.

Natural Resources Wales: Sets out that whilst area surrounding the site is located within C2 floodzone, the site is outside of this area. As such, no objection is raised to the proposal. In addition, given the proximity of the development to the River Rhondda the response also sets out that informative notes should be included on any consent to inform the applicant that separate permits would be required undertake the works.

Countryside (Ecology): No objection raised subject to conditions.

Public Health and Protection: No objection although conditions recommended in relation to hours of construction, noise, dust and waste.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and a replacement is in the process of being produced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These

provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

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

Policy CS1 – sets out the criteria for new development in the Northern Strategy Area.

Policy AW1 – Sets out the criteria for new housing proposals.

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

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

Policy AW6 – Requires development to involve a high quality design and make a positive contribution to placemaking, including landscaping.

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

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

Supplementary Planning Guidance

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

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application seeks outline planning permission for residential use at the application site. The proposal seeks consent for the principle of development only with all other matters relating to appearance, layout, scale, landscaping and access reserved for future consideration.

The application site is unallocated and is located within the defined settlement boundary and a residential area of Treorchy. The site is also located within close proximity to a number of local facilities, public transport links and the town centre. As such, it is considered to be within a sustainable location.

It is therefore considered the application complies with Policies CS1, AW1, AW2 and NSA12, all of which support the provision of new housing on unallocated sites within the Northern Strategy Area.

Impact on the character and appearance of the area

The site forms an area of land at the end of Glan-Yr-Afon and as such forms a gap in the street scene. Furthermore, having regard to the size of the site and the indicative site layout plan submitted, it is considered that the site is capable of accommodating a carefully designed dwelling that would not result in a detrimental impact upon the character and appearance of the surrounding area. It is however acknowledged that the submitted details are for indicative purposes only and that this issue would be given further careful consideration at reserved matters stage

In addition, as the appearance, landscaping, layout and scale of the scheme are reserved for future consideration, this would allow the Council to reject any future scheme that would have an adverse impact and would ensure the development complies with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

As the site is located within settlement limits, in a predominantly residential area, it is important to consider the potential impacts of the development upon the levels of amenity and privacy that existing neighbouring occupiers currently enjoy.

The illustrative layout plan indicates that the site is physically large enough to comfortably accommodate a dwelling within the prescribed scale ranges proposed without having a significant impact on the existing residential properties to the north and east at Glan-yr-Afon and Glynrhondda Street.

With regard to loss of privacy, this was raised as a concern by the objectors who state that the rear gardens of Glynrhondda Street would be overlooked. Whilst this is noted due to the terraced nature of the area, these areas are already heavily overlooked, and it is not considered that the dwelling would result in any new opportunities. In addition, as the application is made in outline with all matters reserved, the Council would be able to reject any future scheme which adversely impacts upon the privacy standards currently enjoyed by neighbouring occupiers.

As such, taking the above into account, the application is considered acceptable in this regard.

Highway Safety and Parking Provision

A number of concerns were raised by the objectors with regards to parking demand created by the proposed development and inadequate access in the vicinity of the site. However, following the receipt of the amended redline boundary and plans the Council's Transportation Section raised no objection to the application with the following response received:

The access leading to the site is one-way for part of its length and two-way fronting the site with no turning facilities. The highway leading to the site is oversubscribed with high on-street car parking demand narrowing the width to single file traffic. To the south of the site the access is an unsurfaced lane which provides secondary access to a number of garages for off-street car parking.

It is noted that the application is outline with all matters reserved. However, due to the nature of the access leading to the proposed access has been considered as part of this application. The applicant has submitted an amended plan indicating turning facilities for service and delivery vehicles to access / egress Glan Yr Afon in forward gear with two off-street car parking spaces provided.

Pedestrian access is gained via the existing footway fronting the dwellings with a number of stepped access points and a ramped access at the northern point of the terrace for access by less able bodied pedestrians.

The proposed 4 bed dwelling requires up-to a maximum of 3 off-street car parking spaces in accordance with the SPG Access, Circulation & Parking 2011. The indicative plan shows 2 spaces. However, a condition requiring compliance with the SPG Access, Circulation & Parking has been suggested.

Taking into account the limited trip generation by a single dwelling and the mitigation measures proposed by provision of a turning facility and provision of off-street car parking for the dwelling within the plot, the proposed is considered acceptable.

Ecology

Following a review of the plans submitted and the application site, the Council's Ecologist provided the following response to the application. The site appears to form an overgrown lawn area and as such no ecological assessment is required to support the application. Instead, the key issue with the development would be the proximity to the Rhondda Fawr River. Whilst it was noted that development in close proximity to watercourses are required to gain permits from Natural Resources Wales, the ecologist set out that a condition should be attached to any consent requiring the submission of a Construction Environmental Management Plan.

In addition to the above as required by Planning Policy Wales the ecologist set out that details of bat/bird bricks should also be conditioned to ensure biodiversity enhancement.

Historic Coal Mining Activity

The application site falls within the defined Development High Risk Area where coal mining features and hazards may be present and should be considered as part of the development proposals, a concern that was also raised by the objectors. As such, the applicant has supplied a Coal Mining Risk Assessment in support of the application.

The Coal Authority commented that the content and conclusions of the assessment demonstrate that the site is safe and stable for the proposed development. As such, The Coal Authority raised no objection to the application.

Structural Engineer

Due to the presence of an existing retaining wall along the boundary with the highway consultation was undertaken with the Council's Structural Engineer. In their response the engineer commented that the wall supporting the land is considered as a private structure. However, due to the proximity to the highway a condition has been recommended for the applicant to provide details of the wall and structural calculations to justify its design.

Drainage

Consultation has been undertaken with the Council's Flood Risk Management Team with a view to assessing any potential impacts upon land drainage. No objection has been received in relation to this application however an informative note in relation the requirement for SuDS was recommended.

Public Health

The Public Health and Protection Division suggested 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.

Other issues raised by the objectors

The objector's comments that the site is crossed by a sewer have been confirmed through consultation with Dwr Cymru who have raised no objection to the scheme but requested an informative note be appended to any consent to ensure the developer takes this into consideration when developing a detailed scheme.

Also raised within the objections were concerns in regards potential damage to foundations and the undermining of surrounding development. Whilst these comments are acknowledged, matters with regard to the construction would be covered separately by any subsequent Building Regulations application. Furthermore, any damaged created by the development to neighbouring properties would be a civil matter between the property owners.

The right to light and impact upon property values were also raised within the objector's comments. Whilst these points are noted, they do not form material planning

considerations and cannot be taken into account during the consideration of this application.

Community Infrastructure Levy (CIL) Liability

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

As planning permission first permits development on the day of the final approval of the last of the reserved matters CIL is not payable at outline stage but will be calculated for any reserved matters or full applications.

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 in principle is acceptable and it is considered that the site is capable of accommodating a carefully designed dwelling that would not result in a significant impact upon the character and appearance of the surrounding area or the amenities of the surrounding properties. Furthermore, there would be no undue impact upon pedestrian or highway safety in the vicinity of the site, subject to works detailed in the conditions below being carried out. As such, the application is considered to comply with the relevant policies of the Local Development Plan and is recommended for approval.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. (a) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- (b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
- (c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.
- (d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or

in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Sections 92 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

- Highway Layout -
- Drawing Ref :- 07967JS

and documents received by the Local Planning Authority on 26/01/2022, 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 details of the proposed improvements to Glan Yr Afon along with turning facility as indicated on submitted plan 07967 JS together with sections and surface-water drainage details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to beneficial occupation with the turning facility retained for use of the general public thereafter.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Off-street parking shall be in compliance with RCT's Supplementary Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011).

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site, in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

6. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and 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.

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

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

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

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with Policy AW5 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 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. Prior to the commencement of development, details for the provision of bat/bird bricks/ boxes (incorporated within the scheme) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

12. No development, including site clearance shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- General site management details; details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage and any watercourse drain.
- Pollution prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practices 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.

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

Reason: To ensure that the development does not adversely impact the River Rhondda during the construction phase in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

13. No works shall commence on site, until details and design calculations, of the retaining walls have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason: To ensure the stability of the development in the interests of safety, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development plan.

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PLANNING & DEVELOPMENT COMMITTEE

18 AUGUST 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1440/15 (JE)
APPLICANT: Mr D Owen
DEVELOPMENT: Variation of condition 1 - time limit of planning permission 12/0367/10. (Bat Structures Inspection and Ecological Assessment Received 04/03/22)
LOCATION: CHURCH HALL OFF LLYS TYLCHA FAWR, TONYREFAIL
DATE REGISTERED: 04/03/2022
ELECTORAL DIVISION: Tonyrefail East

RECOMMENDATION: APPROVE

REASONS:

Full planning permission has been previously granted for dwellings on the site and no significant changes in policy or material considerations have occurred since the original permission was granted to warrant a refusal.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

The application is submitted under Section 73 of the Town and Country Planning Act 1990 and seeks to vary condition 1 of the previously approved planning consent (12/0367/10) relating to the construction of 6no. dwellings at Church Hall off Llys Tylcha Fawr, Tonyrefail.

Condition 1 of the permission is as follows:

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

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

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

The application proposes the development of three pairs of semi-detached dwellings: 4no. two bedroom and 2no. three bedroom dwellings.

The dwellings on plots 1-4, would measure 4.45m wide, 9.75m deep with a maximum height of 7.6m falling to 5m at eaves level. Internally the properties would include a living room, kitchen-diner and toilet at ground floor level with two bedrooms and a bathroom at first floor level

The dwellings on plots 5 and 6 would measure 5.5m wide, 10.65m deep with a maximum height of 7.9m, falling to 5m at eaves level. The dwellings would provide a kitchen-diner, living room and toilet at ground floor level with three bedrooms, an ensuite and bathroom at first floor.

Externally the dwellings would be finished with render elevations with timber clad detailing on the front and rear elevations at ground floor level and concrete roof tiles. Each property would benefit from enclosed front and rear gardens.

Properties 1 and 2 would be orientated to face west over what is known locally as Doctors Hill, with units 3-6 orientated with the front elevations facing north overlooking the rear elevations of the properties 56, 56A, 58 High Street and the Tonyrefail Rugby Club premises. A minimum distance of 19m would be maintained between the front elevation of the proposed dwellings and the rear elevations of the properties along High Street to the north. A minimum distance of 5.9m would be maintained between the rear and side elevations of the proposed dwellings and the rear boundary garden walls/ garages of the properties in Prichard Street to the south.

The application proposes the development of 10 off street parking spaces. 5 spaces would be provided to the rear of numbers 4-6 with vehicular access gained off the rear lane to the south of the site. The plans submitted indicate that numbers 5 and 6 would each benefit from a private space within their curtilage with the three remaining spaces accessed via a new set of steps. The plans indicate that the southern access lane would be enlarged to provide a 5m wide carriageway. Five further parking spaces would be provided to the north of the proposed dwellings on land to the rear of number 56, 56A and 58 High Street. Vehicular access to these spaces would be via the existing rear lane that serves the existing dwellings and rugby club. The lane would be enlarged to provide a 5.5m wide carriageway and 1.2m wide pavement along the southern side. An on-site vehicle turning area would also be provided.

Due to the changes in levels across the site, the finished floor level of properties 5 and 6 in the eastern part of the site would be set approximately 2m above the floor level of numbers 1 and 2 in the west and approximately 2.15m above the level of the rear lane to the south.

SITE APPRAISAL

The site comprises an irregular shaped parcel of land with an area of approximately 0.12 hectares, located to the south of High Street and the north of Prichard Street, Tonyrefail. A former church hall is currently located in the western part of the site with an area of open, unmaintained ground to the east. The site is unallocated and within the settlement limits of Tonyrefail East. The surrounding area is positioned on a slope falling steeply from north to south and more gently from east to west. As a result the site is set below the lower ground floor level of the properties along High Street and is raised in comparison to those within Prichard Street.

The boundaries of the site are defined by the rear lane that serves the residential properties in High Street and the Rugby Club to the north, the gardens and boundary features of the properties in Parkland Crescent to the east, the rear lane access that serves the properties in Prichard Street to the south and the pavement and highway known locally as Doctors Hill to the west.

At the time of inspection the existing building appeared to be in use as an office for an electrical company and their associated external storage.

The surrounding area is a mixture of residential development, with terraced and semi-detached dwellings and flats all evident.

PLANNING HISTORY

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

08/0188/13: THE CHURCH HALL, CROSS STREET, TONYREFAIL CF39 9SS
To demolish church hall and develop the site for residential use. (outline planning application) (amended plans received 17/04/08)
Decision: 19/08/2008, Grant

09/0534/10: TONYREFAIL RUGBY FOOTBALL CLUB, 60-62 HIGH STREET, TONYREFAIL, PORTH, CF39 8PH
Balcony to rear of club at ground level.
Decision: 20/07/2009, Refuse

12/0367/10: CHURCH HALL OFF LLYS TYLCHA FAWR, TO THE REAR OF 54-64 HIGH STREET, TONYREFAIL
Demolition of existing Church Hall and construction of 6 new dwellings (amended description received 20/11/2014, amended plans received 01/12/2014)

Decision: 02/12/2016, Grant

PUBLICITY

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

No letters of objection have been received following consultation.

CONSULTATION

Transportation Section: No objection subject to the re-imposition of previous planning conditions.

Public Health and Protection: No objection to the proposed extension of time.

Flood Risk Management (Drainage): No comments to the variation of condition application.

Dwr Cymru/Welsh Water: No objection to the variation of conditions. We ask that any drainage conditions on the original consent are brought forward.

The Coal Authority: No objection raised.

Countryside (Ecology): No objection following submission of Bat Structures and Ecological Assessment.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and a replacement is in the process of being produced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

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

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW1 - sets out the requirements for new housing development and the methods by which the provision of new housing will be met. AW1.3 refers directly to the development of unallocated land within the defined residential settlement boundaries of principal towns, key settlements and smaller settlements.

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

Policy AW4 – advises that planning obligations may be sought to make the proposal acceptable in land use planning terms.

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 AW8- requires applications to be accompanied by appropriate ecological surveys and appraisals in the interest of preserving and protecting the area's natural heritage.

Policy SSA4 – advises that proposals for residential and commercial development within the key settlement of Tonyrefail will be permitted subject to certain criteria.

Policy SSA11 – recommends a housing density of 35 dwellings per hectare unless a lower density is necessary to protect the character of the area or the amenity of existing and future residents.

Policy SSA13 – sets out the criteria for the consideration of development proposals within settlement boundaries

Supplementary Planning Guidance

- Delivering Design and Placemaking
- Access, Circulation and Parking Requirements
- Nature Conservation

National Guidance

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

Planning Policy Wales (Edition 11) (PPW) 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 all planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

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

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

Other policy guidance considered:

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The applicants is seeking to renew the earlier consent and extend the time period within which the planning permission may be implemented. In such circumstances it is appropriate to consider whether there has been any change in policy or any other material circumstance that might affect the proposal; however, it is not appropriate to challenge the heart of the consent itself.

The Local Development Plan (LDP) remains the key policy consideration in this application however, national policy has changed with the publication of PPW11 and Future Wales – The National Plan 2040. Whilst there has been changes to national policy since the approval of the previous application, there is still a clear emphasis for residential development in sustainable locations and within defined settlement boundaries.

Nothing has changed in terms of the position of the site in that it remains within the settlement boundary of Tonyrefail. It is therefore still considered to be a highly sustainable location and the proposal is still considered to be acceptable in principle. Furthermore, the extant consent for 6no. dwellings is considered to carry significant weight and, when balanced against the absence of a change in circumstance at the site and lack of objections from consultees, the greater weight lies in favour of granting approval for an extension of the timescale in which works can start.

Drainage

Since the approval of the original consent (ref. 12/0367), developments with a development area over 100m² are required to comply with Schedule 3 of the Flood and Water Management Act 2010 in that a separate Sustainable Drainage Systems (SuDS) application is required to be made to the SuDS Approval Body (SAB) prior to any development commencing. Whilst a drainage condition was imposed on the previous consent (as recommended by the Council's Flood Risk Management team and Dwr Cymru), it is now considered that the surface water flood risk will be adequately managed by Schedule 3 of the Flood and Water Management Act 2010 and also by Part H of the Building Regulations. It is therefore no longer considered necessary to add the relevant drainage condition to the consent, should Members be minded to approve the application.

Community Infrastructure Levy (CIL) Liability

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

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

The CIL charge (including indexation) for this development is expected to be £19,076.82.

Conclusion

Although there has been a change in national planning policy since the approval of the previous consent (ref. 12/0367/10), the main thrust of planning policy remains the same in that residential development is supported within sustainable locations and within defined settlement boundaries. Nothing has changed in terms of the position of the site in that it remains within the settlement boundary of Tonyrefail which is considered to be a highly sustainable location. As such, the proposal is still considered to be acceptable.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

RECOMMENDATION:

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

- Existing site location plan – Drawing No. PL001 Rev.2 12/10/2011
- Proposed site plan – Drawing No. PL002 Rev. 6 12/10/2011
- Proposed floor plans – Drawing No. PL003 Rev. 2 12/10/2011
- Proposed elevations – Drawing No. PL005 Rev. 3 12/10/2011

and documents received by the Local Planning Authority on 04/03/2022, 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 finishing 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. No development shall take place (other than works in relation to demolition and site clearance) until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

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

5. Before the development is brought into beneficial use the means of access, together with the parking and turning of vehicles, shall be laid out in accordance with the submitted plan PL002 Rev. 6 and in accordance with materials that have first been approved 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. All planting, seeding and turfing comprised in the approved details of landscaping 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 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

7. Notwithstanding the submitted plans, development shall not commence until full engineering design and details of the road layout and improvements to the existing highways including sections, street lighting, surface water drainage, footways and highway structures have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the adequacy of the proposed development in the interests of highway safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, the approved details shall be implemented and 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. HGV's used as part of the development shall be restricted to 9:00am to 16:30pm weekdays, with no deliveries on weekends 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 safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

11. Prior to the commencement of development, a scheme for the management of construction traffic and for the provision of wheel washing facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

12. Prior to the first occupation of any of the dwellings, a 2m wide footway and vehicle crossover shall be provided along the site frontage in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority.

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

13. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

- A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
- A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.

- A written method statement for the remediation of contamination affecting the site.

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

14. No dwelling, hereby permitted, shall be occupied until the measures approved in the scheme referred to in Condition 13 have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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PLANNING & DEVELOPMENT COMMITTEE

18 AUGUST 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1555/38 (GH)
APPLICANT: LCB Construction
DEVELOPMENT: Discharge of condition 13 - existing ground levels and proposed finished ground / floor levels of planning permission 18/1411/10. (Revised plans received 21/04/2022)
LOCATION: FORMER LLANTRISANT WELSH PRIMARY SCHOOL, SCHOOL STREET, LLANTRISANT, CF72 8EN
DATE REGISTERED: 19/11/2021
ELECTORAL DIVISION: Town (Llantrisant)

RECOMMENDATION: GRANT

REASONS:

Based on the proposed finished ground levels, neither the proximity nor use of the car park and landscaped area to the front of the former school site would be detrimental to the amenity or privacy of the closest neighbouring residents, or harmful to the appearance of the site and surrounding area.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Glynne Holmes for the matter to be determined by Committee due to concerns regarding neighbour amenity.

BACKGROUND

At the Planning Committee meeting of 4th April 2019, following a Committee site visit, Members resolved to grant planning permission for the residential redevelopment of the former Llantrisant Welsh Primary School (application ref. 18/1411/10).

This affordable housing development, on behalf of Trivallis, included the conversion of the main school building to provide fourteen flats, together with the construction of

three houses and one bungalow. Associated works included the provision of landscaping, access and car parking.

Since then, the required Section 106 agreement was signed and the relevant pre-commencement conditions of the planning permission were discharged. In addition, a non-material amendment relating to the main vehicular entrance and the repositioning of the bin store was approved (ref. 20/0804/39) and the development is now in the later stages of construction.

Nonetheless, last year the owner/occupiers of the neighbouring house to the north, known as 'Leofric', raised a concern that the ground level at the eastern part of the site, adjacent to their property boundary and School Street, and which would accommodate part of the development's car park, had been unexpectedly and significantly built up in level.

Those Members who were part of the Planning Committee in 2019 may recall that prior to development there was a reasonably consistent fall in level from the front of the extant school buildings to the eastern boundary with School Street.

However, whilst minor or insignificant level changes might be expected as part of a site redevelopment, the engineering operations undertaken were considered to be outside the scope of the planning permission and were not reflected in the plans, context elevations or perspective views that formed part of the 2019 Committee presentation.

In the intervening period, since the neighbour concerns were highlighted, a number of site meetings have taken place with the case officer, including, at various stages, the Agent, Developer, Architect, Housing Association, Ward Member and the owners of 'Leofric'. The Agent and Developer were advised that the raising of the ground levels was not in accordance with the approved application details and would not be acceptable if proposed as such.

Subsequently, it was agreed with the Agent that the most appropriate procedural way to address and regularise the situation would be to submit a further non-material amendment application (ref. 21/1018/39). The purpose of this second NMA was introduce an additional thirteenth condition for the proper consideration and approval of site levels. The NMA was submitted and approved, and details of the condition are outlined below for the consideration of Members.

APPLICATION DETAILS

Consent is sought for the discharge of condition 13 of planning permission 18/1411/10, relating to the development of the former Llantrisant Welsh Primary School.

Condition 13 states:

The development shall not be occupied until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity, the amenity of neighbouring occupiers, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan, and to clearly define the scope of the permission.

This discharge application has been accompanied by revised plans relating specifically to the car park area and the relationship with 'Leofric' and the boundary with School Street.

These details comprise elevational drawings and cross-sections and demonstrate that the 'as built' levels would be reprofiled, resulting in a maximum height reduction of approximately 1.5m and the removal of a considerable amount of material from site.

In addition, two parking spaces, which would have been adjacent to the boundary with 'Leofric' and forward of the principal elevation of that dwelling, have been removed from the car park layout. A short section of a fence return and additional planting have been specified.

The application has been accompanied by a statement from the Applicant's Agent which explains that the reason for the change in levels is as a result of needing to manage the car park gradient, to ensure compliance with Welsh Government's Development Quality Requirements. As an affordable housing scheme, the primary source of funding will be Social Housing Grant.

The statement explains that most car parks slope to a gradient of around 1 in 50. In this case the Agent has subsequently advised that, given the site topography, the fall of 1 in 8 has since been confirmed as being acceptable by the Welsh Government.

Lastly, Members are advised that although the condition refers to site-wide levels, there are no concerns about compliance relating to other parts of the development. Following a separate complaint, the position and height of the three new terraced dwellings at the northern part of the site have been verified as being in accordance with the approved plans.

SITE APPRAISAL

The application property comprises the former Llantrisant Welsh Primary School and its external play areas and hardstanding, which is located to the west of the historic centre of Llantrisant.

The 0.27 hectare site had been vacant for a period in excess of ten years and although the building was secured and in reasonable external condition, albeit overgrown, was in a poor condition internally.

Since planning permission was granted the majority of the conversion and new build works, required to deliver the approved housing units, have taken place, so the development is not so far from completion.

With the exception of the open land adjoining the site to the north-west, the site is surrounded by a variety of residential properties of different eras, including those dwellings to the north and north-east which are of later 20th century construction.

The majority of the application site falls within the Llantrisant Conservation Area and is within the defined settlement boundary.

PLANNING HISTORY

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

- 21/1018/39:** Non-Material Amendment to add a condition to allow the approval of levels to be considered via discharge of planning condition application (18/1411/10). Decision: 10/08/2021, granted.

- 20/0804/39:** Variation of condition 2 to replace approved site layout with new revision, and to add drawing showing details of bin store. Decision: 28/08/2020, granted.

- 20/0541/38:** Discharge of condition 7 - Construction Environmental Management Plan, with appendices 1 - 5, Construction Phase Plan of planning permission 18/1411/10. Decision: 28/09/2020, granted.

- 20/0530/38:** Discharge of condition 8 historic building recording and analysis (prev app 18/1411/10). Decision: 08/11/2021, granted.

- 20/0527/38:** Discharge of condition 6 vehicular and pedestrian accesses (prev app 18/1411/10). Decision: 14/10/2020, granted.

- 20/0526/38:** Discharge of condition 4, drainage strategy (prev app 18/1411/10). Decision: 05/11/2020, granted.

- 20/0525/38:** Discharge of conditions 3, external material schedule & 5, site boundary layout of planning permission 18/1411/10. Decision: 20/08/2020, granted.

- 18/1411/10:** Change of use of the existing building to provide 14 flats, construction of three houses and one bungalow, and associated works including landscaping, access and car parking. Decision: 01/11/2019, granted.

11/1286/10: Conversion of former school into 8 residential apartments and construction of 2 dwellings at rear of site. Decision 02/12/2014, granted.

PUBLICITY

No publicity is required to be undertaken in respect of discharge of condition applications.

However, in this case, the application was brought to the attention of the local Member Cllr Glynne Holmes, the owners of the adjacent property 'Leofric' and the Council's Highways and Transportation section.

The initial response from the neighbouring occupiers raised the following objections:

- As the closest neighbours we have had to put up with almost 2 years of construction works (originally programmed at 62 weeks) within metres of our property.
- It is welcomed that the latest variation to the scheme makes some efforts to remove car parking spaces from the land immediately adjacent to our front windows, but this is still not to the levels originally passed at planning stages and unfortunately still leaves us with some reasons for objection.
- We would like to propose a further removal of the spaces opposite our property adjacent to the ones that have already been removed...this area will be utilised as a turning area and as such we will be continually exposed to car headlights.
- The access from School Street on to the parking area will mean that our car and driveway will continually be exposed to pedestrians and parking. I would propose that an agreement be considered for excavating the current area to the forecourt of our property to use as an additional driveway.
- The privacy of our home has come under total invasion...I would propose that appropriate measures to our property (for example blinds throughout and shutters to our main viewing bay windows so we are still able to open up as we originally planned) are provided by Trivallis as a matter of urgency.
- We would like a meeting to further discuss our party wall as I do not feel that feather edge or any other wood fencing offers a viable future proof solution and would propose a solid brick wall with heights to be finalised and agreed inclusive of finish and material.

Following a further plan revision, a further response was received from neighbours:

- This looks better. The parking spaces on the boundary are restricted to being behind the front of our house and that fence next to the fourth parking space should reduce any increased acoustics ever so slightly.
- The levels are being dropped from "as built" by over 1.5 metres at the maximum point so we are okay with that.

- The boundary looks better – however I have been quite particular that I do not want “feather edge” fencing and have sent specification details on my previous emails. It looks okay to us, as long as they implement it as they say.
- I am still yet to receive a response on the driveway and the front window blind.

CONSULTATION

Highways and Transportation

The proposal includes 14 flats so if 2 or 3 spaces are lost there would still be sufficient parking provision to provide parking for the 3 houses and 1 bungalow and 1 space per flat. As such, if 2 or 3 spaces are lost to there wouldn't be any fundamental concerns or a highway objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies within the settlement boundary for Llantrisant.

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

Policy AW6 - supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness. Furthermore, proposals must be designed to protect and enhance landscape and biodiversity by providing measures for mitigation and enhancement, where appropriate.

Policy AW7 - developments that impact upon sites of architectural or historic merit must demonstrate that they preserve or enhance the character of the site.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking Requirements
- 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), 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 was previously considered that the proposed development would be 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 18: Transport;
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

The application relates to the approval of details reserved by a condition of an existing planning permission. Therefore, the principle of the proposal is acceptable subject to consideration of the material planning matters outlined below.

Impact on the character and appearance of the area

The main concern in this regard was how the unauthorised increase in the original land levels would affect the outward appearance of the development, in particular due to the fact that most of the site and surrounding area is part of the Llantrisant Conservation Area.

It is recognised that the land to the front of the former school has always been at a higher level than School Street to the east and south, due to the topography and fall away to the south-east.

It is also recognised that the land adjacent to 'Leofric' was previously altered so that it could accommodate two separate modular school buildings, both of which would have had some prominence without making a positive contribution to the Conservation Area and street scene.

Nevertheless, it is considered that the 'as built' levels would have created an unnecessarily high development plateau and that even with soft landscaping the vehicles parked on top would have been prominent and fairly incongruous in appearance.

However, continual discussion with the Agent and Developer, together with the production of several iterations of revised plans, have now resulted in a much more sympathetic proposal and one that would have far less visual impact.

The submitted drawings 'Parking Courtyard – Proposed Levels Revision I' and 'Parking Courtyard Elevations Revision D' highlight the proposed alterations, with Drawing 01 – Proposed Levels best illustrating the difference between the original site levels (pink line), the 'as built' (green line) and the 1 in 8 fall now proposed (blue line).

The blue line proposal is much closer to that of the original ground profile, with a consistent slope to the top of the extant dwarf retaining wall, as can be seen in the site photograph from 2009, with a gentle fall to the boundary wall and fence at School Street.

In light of the above, it is considered that the proposed finished levels would not be harmful to the character and appearance of the application site or wider Conservation Area and would thus accord with LDP Policies AW6 and AW7.

Impact on neighbouring occupiers

The Committee report considered by Members in April 2019 paid particular attention to the relationship between the development and the neighbouring house, noting:

“Currently the School boundary has a dilapidated ball fence separating the former playground from the rear garden of Leofric, up and against which vegetation has grown to act as a substantial screen. Consequently, since it is unlikely that either the fence or overgrowth would be retained, a condition requiring details of boundary treatments is proposed to be appended to any consent. This would ensure that the neighbouring residents are protected and have the added benefit of preventing any light overspill from vehicle lights.”

Whilst the condition requiring approval of boundary treatments was discharged in August 2020, the main material concern has been to minimise the impact of the residential development on neighbouring residents, particularly from the comings and goings of future residents and vehicles.

Conversely, at the time of determination, the front part of the car park, adjacent to 'Leofric' was not considered to be of concern since parked vehicles and their occupants would have been much lower and screened by the existing boundary wall. However, had the development proceeded on the basis of the 'as built' levels, this would not have been the case.

Therefore, a solution was sought that could demonstrate that neighbour amenity issues could be satisfactorily addressed. The revised plans include the following:

- A considerable reduction to the 'as built' levels by up to 1.5m in height, as described in the preceding section.
- The removal of two parking spaces adjacent to the shared boundary and forward of the principal elevation of 'Leofric'.

- The deletion of a secondary pedestrian entrance on School Street (the aforementioned NMA 20/0804/39 already relocated this to the main entrance, to accord with a Highways request).
- The inclusion of a fence return, to help minimise light overspill.

In terms of the impact of the development on the amenity and privacy of neighbouring residents, it is considered that the revised details provided in support of the discharge of condition application, particularly the reduction in 'as built' ground levels, represent an acceptable outcome.

Therefore, the development, as amended by condition 13, would not be considered to be detrimental to neighbour amenity, and would be in accordance with the aims of LDP Policy AW5.

Other matters

It is appreciated that where building works or site redevelopment takes place in close proximity to existing residential properties, there is considerable potential for disruption, from noise, dust, vehicle movements and so forth – as the objection from the neighbouring residents points out – especially during previous lockdown periods when much work has been done from home offices.

During the development phase, in addition to the aforementioned issues concerning ground levels and the three new-build properties, complaints have also arisen about working hours and noise/dust. These have been referred to the Council's Public Health and/or Enforcement sections accordingly.

However, although the Local Planning Authority has encouraged the Developer to work alongside neighbouring residents in the interests of both parties and to resolve disputes, the request from neighbours for a window blind and driveway excavation works cannot be considered as material to the determination of the discharge of condition application; hence, no planning weight has been attributed to this matter.

Conclusion

The discharge of planning conditions often requires a planning judgement to be made, such as in issues of 'amenity', while others may be more technical in nature and largely rely on the comments of specialist consultees. On this occasion the consideration of condition 13 relates mostly to the former, so the majority of the weight afforded to the decision maker is based largely on judgement.

However, in light of that discussed further above, it is considered that the revised arrangements for the car park levels would not have a detrimental impact on the character and appearance of the site, surrounding Conservation Area, or be harmful to the residential amenity of the closest neighbouring properties. The proposal would

therefore be in accordance with Policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan and it is recommended that the condition be discharged.

RECOMMENDATION: GRANT

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PLANNING & DEVELOPMENT COMMITTEE

18 AUGUST 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0585/10 (GRD)
APPLICANT: Harlech Group
DEVELOPMENT: Double extension to the rear of property
LOCATION: 85 MOUND ROAD, MAES-Y-COED, PONTYPRIDD,
CF37 1EF
DATE REGISTERED: 06/07/2022
ELECTORAL DIVISION: Graig and Pontypridd West

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 impact upon the amenity and privacy of the neighbouring residential properties.

REASON APPLICATION REPORTED TO COMMITTEE

- The application has been submitted by the immediate family of a serving councillor.

APPLICATION DETAILS

This application seeks full planning permission for the development of a part single-storey, part two-storey rear extension at 85 Mound Road, Maes-y-Coed, Pontypridd.

The proposed extension would project approx. 7.3m to ground floor from the rear of the property, and to first floor, the extension would extend approx. 3.7m from the rear of the property. The extension would span the full width of the property, measuring approx. 5.3m in width. The rear extension would be flat roofed, with the ground floor element measuring 2.6m in height and a maximum height to the two-storey extension measuring at approx. 5.5m.

The proposed extension would allow internal alterations at the property and would provide the property with an enlarged living space and W.C. to ground floor, with a bedroom and en-suite to first floor. New openings include rear facing ground floor

bifold doors, and a rear facing first floor window. Additionally, a glazed lantern would be installed atop the extension.

An application for a similar scheme was previously granted at the site (Planning Reference: 21/1082/10) on 1st October 2021. This application represents a slight revision, in that the two-storey extension would span the full width of the dwelling, whereas previously it would only have measured approx. 3.3m in width. Works at the site have begun, in order to implement the previous planning permission.

SITE APPRAISAL:

The application site relates to a traditional north facing mid-terraced dwelling located within a predominantly residential area of Pontypridd. To the front, the property benefits from a small forecourt opening onto Mound Road. To the rear of the property, there is an enclosed garden.

The street falls steeply from East to West with 87 Mound Road sited at a higher level and 83 Mound Road being at a lower level to the application site.

There are examples of both single and two storey extensions within the locality of differing scales and designs.

PLANNING HISTORY

21/1082/10 Single storey, first floor extension. Granted, 01/10/2021

PUBLICITY

The application has been advertised by direct notification letter to neighbouring properties. No letters of objection have been received.

CONSULTATION

None undertaken

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

Members will be aware that the current LDP's lifespan was 2011 to 2021 and that it is in the process of being reviewed. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning

application.

The application site lies within the defined limits of development.

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 place making.

Supplementary Planning Guidance:

A Design Guide for Householder Development

National Guidance:

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note 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 works to an existing residential property and the principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area:

The proposed extension is considered acceptable in terms of its siting, scale, design, and overall visual appearance.

The extension would not be considered to harm the character of the property. Whilst the extension would have a flat roof, whereas a pitched roof could be a preferable option, the extension would nonetheless be considered subservient in scale and would not dominate the property. Additionally, a flat roof could appear less bulky and would lessen its visual impact upon occupiers of neighbouring properties.

The proposed two-storey extension would be sited to the rear of the existing dwelling and as such, would not be highly visible within the public realm. The existing street scene would remain largely unaltered.

There are examples of single-storey and two-storey rear extensions within the street. Consequently, the proposed two-storey extension would not appear as an incongruous feature within the street.

Additionally, whilst works have begun on site to implement a previous planning application (Reference: 21/1082/10), there was previously a substantial single-storey rear extension at the site. The proposal would essentially replace the previous extension, which has since been demolished. The existence of a previous extension at the property of a similar scale and length to what is proposed to ground floor would likely lessen the proposal's overall visual impact.

Overall, the proposed extension would be considered to have an acceptable impact on the character and appearance of the existing dwelling and the wider area.

Impact on residential amenity and privacy:

No side facing windows are proposed on the extension and it is not considered that the rear facing fenestration would result in an undue loss of privacy in a locality where mutual levels of overlooking are well established.

The proposed extension would replace an existing, albeit now demolished, single-storey rear extension at the site. The ground floor extension would represent a reduction in length compared to the previous rear extension at the site, and the first

storey element would only protrude approx. 3.7m from the rear of the property. As such, it is not considered that the development would be overbearing to occupiers of neighbouring properties.

Due to the scale and positioning of the extension, and that it would be built adjacent to an existing rear extension at no. 83 Mound Road, it would not be considered overbearing, nor would it be considered to detriment the amenities of occupiers of said property through overshadowing.

In relation to 87 Mound Road. The neighbouring property sits at a higher level to the application site due to the steeply sloping topography at Mound Road. The proposed first floor element would likely increase the loss of light experienced by a side facing window and rear facing door at 87 Mound Road; however, this loss of light would primarily be loss of morning/ early day light. The extension would also only impact these ground floor windows at 87 Mound Road and would not be viewed as a full two-storey extension from this property. On balance, due to the higher position of 87 Mound Road, and the modest depth of the second storey extension at 3.7m, the proposal is not considered to significantly impact upon the amenities of occupiers of 87 Mound Road.

Overall, and on balance, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered acceptable as it would not result in an undue loss of light or privacy or have significant overbearing impacts upon surrounding residential dwellings. It is noted that no objections were received from neighbouring properties to this planning application following consultation.

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 proposed works are considered acceptable in terms of their overall scale, design, and visual appearance. Furthermore, on balance, the extension is considered to have an acceptable impact upon the amenity and privacy standards currently enjoyed by the occupiers of the immediate neighbouring properties. 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 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

- Site Plans. Sheet: A-2
- Proposal Plans. Sheet: A-2
- Existing. Sheet: A-2

And documents received by the Local Planning Authority on 11/05/2022, 9/06/2022, 4/07/2022, 6/7/2022 and 03/08/2022 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

PLANNING & DEVELOPMENT COMMITTEE

18 AUGUST 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0679/13 (GH)
APPLICANT: G. D . Evans Holdings Ltd
DEVELOPMENT: Outline Application for up to 15 Houses including access, car parking, drainage, biodiversity areas and supporting external works.
LOCATION: LAND ADJACENT TO BURGESSE CRESCENT, LLANTRISANT, CF72 8QB
DATE REGISTERED: 30/05/2022
ELECTORAL DIVISION: Llantrisant and Talbot Green

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

REASONS:

The application property has been allocated for housing by the current LDP, is located within the settlement boundary and occupies a sustainable location.

In addition, the proposed housing development would be in keeping with the surrounding existing residential land uses, have an acceptable access from the public highway network and could be accommodated on site without detriment to the street scene or neighbouring residents.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Outline planning consent is sought for the construction of up to 15 dwellings and associated works at land adjacent to Burgesse Crescent, Llantrisant.

In this case the application has been made with all matters relating to access, appearance, landscaping, layout and scale being reserved.

Nonetheless, in accordance with the Welsh Government's Development Management Manual the approximate location of the proposed properties, open space and access point from the public highway have been incorporated as part of an indicative site layout plan.

Furthermore, the maximum scale parameters of the proposed dwellings have been set out as follows:

House Type	Width (m)	Depth (m)	Height from DPC (m)
1	9.7	10.1	8.625
2	11.55	8.215	8.25
3	5.3	8.85	8.4

The layout plan suggests that the development would be arranged as a cul-de-sac, with properties of three house types set out in line with the new road, gaining access from a new junction to be formed from Burgesse Crescent.

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

- Drainage Strategy
- Preliminary Ecological Assessment
- Design and Access Statement
- Coal Mining Risk Assessment
- Transport Statement
- Flood Consequences Assessment
- Pre-Application Consultation (PAC) Report

SITE APPRAISAL

The application property is a field of undeveloped land, located within the settlement boundary to the southern part of Llantrisant.

With a surface area of 0.95 hectares, the field demonstrates a gentle southerly fall and is bounded by Burgesse Crescent to the north, Cardiff Road to the east, a former rail line and current cycle path to the south and the A4119 to the west.

Other than for a cluster of scrub and trees to its north-eastern corner and the aforementioned boundary with the cycle path being tree-lined, this open site is largely devoid of features.

In terms of any policy or environmental designations, it is notable that the site is identified as a non-strategic housing allocation. In addition, most of the site falls within the coal high risk to development area.

The site is within Zones A and B of the Development Advice Map (DAM) as contained in TAN15 (2004). However, the more recent Flood Map for Planning (FMfP), which relates to the postponed revised TAN15 identifies the application site to be at risk of flooding and falls within Flood Zone 2 (Rivers).

The closest residential properties to the site are at Burgesse Crescent, Llys Derwen and Westfield Court to the north and east.

PLANNING HISTORY

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

12/1132/10: Erection of 22 no. new dwellings inc. a mixture of both market and social housing and associated infrastructure including the formation of a new vehicular access (re-submission of 12/0506). Decision: 26/02/2013, Refuse. (Appeal refused 09/04/2014).

12/0506/10: Erection of 22 dwellings and all associated infrastructure including the formation of a new vehicular access. Decision: 13/09/2012, Refuse.

07/2090/13: Construction of 15 No. detached 4 bedroom dwellings. Decision: 30/06/2008, Refuse.

PUBLICITY

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

Furthermore, in accordance with the Development Management Procedure Order (Wales) the relevant press notice was published on 7th July 2022 identifying that the proposal constitutes 'major development'.

Two letters of objection or representation have been received raising the following concerns (summarised):

- The upstairs windows of the proposed semi-detached houses will directly overlook the rear gardens and habitable rooms of properties at Westfield Court.
- The plans do not clearly indicate the situation of the new development compared to Westfield Court and only show their position in relation to Burgesse Crescent.
- This development will have a negative impact on my property, through noise, overlooking and overshadowing my property particularly in the winter months

when all shrubs are bare. It will also impact on my property in terms of light pollution.

CONSULTATION

Highways and Transportation

No objection, subject to conditions requiring engineering details, footway design and a Construction Method Statement to be provided.

Flood Risk Management

The Applicant will be required to submit an application to the Sustainable Drainage Systems (SuDS) Approval Body (SAB). The Applicant is also required to comply with Part H of the Building Regulations. A condition is recommended in respect of how surface water will be managed at the site.

Natural Resources Wales

NRW is satisfied that protected species issues can be overcome by incorporating the Preliminary Ecological Appraisal as part of the approved plans and documents condition on the decision notice, and by the imposition of a condition requiring details of a lighting plan.

NRW has also reviewed the FCA undertaken by JBA Consulting, dated May 2022, and advises that the risks and consequences of any flood event could be managed to an acceptable level. Therefore, NRW has no objection on flood risk grounds.

Dwr Cymru Welsh Water

No objection, subject to a condition requiring a hydraulic modelling assessment and informative notes regarding sewer and mains water connections.

Network Rail

No objection but notes that any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required.

Western Power Distribution

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

South Wales Fire and Rescue Service

No objection. Information relating to water supplies and access has been provided for the benefit of the Developer.

Countryside – Ecologist

The site has some ecological value, including habitat and species potential. This is an example of a type of small development where there is very limited capacity to provide full habitat mitigation, and if this application progresses it would have to be on the basis that it has not proved possible to fully mitigate habitat loss/impact and that long-term effective mitigation, and where possible biodiversity enhancement is secured through appropriate planning agreement. It is noted that NRW is satisfied that key protected species impacts can be mitigated providing appropriate measures are secured through planning condition.

The Coal Authority

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

South Wales Police

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

Transport for Wales

Noted that the land comprised within the application site is adjacent to infrastructure that is owned by Network Rail and advised that Network Rail should be consulted

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan

remains the development plan for consideration when determining this planning application.

The application site lies within the settlement boundary for Llantrisant

Policy CS2 - sets out the strategy for the Southern Strategy Area (SSA) with an emphasis 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 CS4 - identifies the housing requirement figure for the plan period.

Policy CS5 - identifies that there is a need to provide 1770 affordable housing units over the plan period.

Policy AW1 - outlines how the housing land requirement will be met, and includes the development of unallocated sites within the defined settlement boundaries.

Policy AW2 - ensures that development proposals are only supported when located in sustainable locations. Such locations would not unacceptably conflict with surrounding uses, have good access to key services by a range of sustainable transport options, and support the roles and functions of Key Settlements.

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

Policy AW5 - sets out 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 - supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness. Proposals must be designed to protect and enhance landscape and biodiversity.

Policy AW8 - seeks to protect the natural environment from inappropriate development and that there would be no unacceptable impact upon the features of importance to landscape or nature conservation.

Policy AW10 - development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability or any other identified risk to local amenity and public health would not be supported.

Policy SSA10 - allocates land in the Southern Strategy Area for residential development on non-strategic sites.

Policy SSA11 - stipulates that residential development will only be permitted where the net residential density is a minimum of 35 dwellings per hectare, unless it can be demonstrated otherwise.

Policy SSA12 - provision of 20% affordable housing will be sought on sites of 5 units or more.

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

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking Requirements
- Affordable Housing
- Planning Obligations
- Nature Conservation

National Guidance

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

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

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

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

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

SE Wales Policies

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;
PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 18: Transport;

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The proposal is for 15 dwellings on land adjacent to Burgesse Crescent. The site is within the defined settlement boundary and there are a number of policy considerations which relate to this application.

Firstly, the site is allocated for housing development under Policy SSA10.14 as a non-strategic site to provide 40 dwellings. This allocation, together with the site's planning history, carries significant planning weight and the principle of residential development is therefore already established.

Secondly, the proposed scheme would support the delivery of the housing requirement figures identified by Policy AW1 and also support development in the Principal Town of Llantrisant/Talbot Green as set out by Policy SSA3.

Thirdly, Policy SSA12 requires that 20% of the units on sites of 5 units or more should be affordable housing. Therefore, the development would be required to deliver 3 affordable units to accord with requirements of the Council's Housing Strategy Team and this would be secured by a Section 106 agreement.

Lastly, Policy SSA11 requires a minimum density of 35 dwellings per hectare in the Southern Strategy Area. In this case the density would be well below that at approximately 16 dph, which is of concern. It is noted from the planning history that

application 12/1132/10 was refused on appeal, with the Inspector citing low density as the reason, particularly since the Council could not demonstrate a 5 year housing land supply for the delivery of new homes.

However, in the ten years since that application was submitted there have been significant changes in national planning policy:

- PPW TAN1 was revoked on 26th March 2020 which means there is no longer a need to demonstrate a 5 year land supply. Consequently, whether or not the site would make an adequate contribution to overall housing numbers is of less material relevance.
- There is now a requirement for larger developments to comply with national standards for sustainable drainage systems, which result in the loss of developable parts of application sites for the provision of SuDs infrastructure such as swales and attenuation basins.
- The most recent iterations of PPW, together with subsequent Ministerial correspondence, means that development proposals now have to incorporate both biodiversity mitigation and enhancement measures. For greenfield sites such as this one, this is more difficult to achieve and will also result in the setting aside of otherwise developable land, compared to previously developed sites which will have a much lower biodiversity value to compensate.

In addition to the aforementioned planning policy changes, the need to construct a new vehicular and pedestrian access and layout the development to cope with the awkward site shape/levels means that there is little scope for a denser development, and there are therefore no concerns with regard to Policy SSA11 and the efficient use of land.

In light of the above, noting the location of the site, the pattern of development within the area and surrounding land uses, it is considered that outline approval for 15 dwellings would be acceptable in principle.

Impact on the character and appearance of the area

As an outline proposal the submitted plan, illustrating how the plot could be laid out, demonstrates that it would be physically possible to provide 15 new dwellings within its boundaries and how these dwellings could be positioned relative to neighbouring properties and benefit from access to the public highway.

Regarding the scale of the new homes, in terms of the size of the illustrative scale parameters, these show that there is the potential for the site to be arranged in order to allocate an acceptable amount of external amenity space for each new dwelling and provide off-street parking in line with the Council's adopted parking standards.

In particular, compared to the previous planning consent for 22 dwellings, the requirement to integrate sustainable drainage solutions and provide acceptable

biodiversity mitigation, taken together with management of site levels as outlined above, means that the density of the development would be lower and reflective of the surrounding residential plots.

However, without specific design details and the supporting information that would usually accompany a reserved matters application, it is not possible to fully assess the development in terms of its visual impact.

Nevertheless, given the context of the street scene and the variety in the scale, appearance and position of neighbouring dwellings, it appears evident that 15 new properties of the scale proposed could be designed to integrate with the existing built environment.

Impact on neighbouring occupiers

The public consultation resulted in objections from residents of two properties located at Westfield Court to the east of the site, in respect of the potential for intrusive views and overshadowing from plots 14 and 15.

The illustrative layout plan indicates that the finished floor level for these two dwellings is specified with a datum level of 50.00, whereas the level of Cardiff Road to the rear of the site is nearly 4m higher. In addition, the rear gardens of Westfield Court on the other side of Cardiff Road appear to be higher than the road surface.

This would suggest that the level of the objector's gardens would be comparable with the eaves height of plots 14 and 15, and the development would be very unlikely to harm privacy or cause overshadowing.

Furthermore, the distance between the rear elevations of the objector's houses and those of plots 14 and 15 is in the region of 34m. This is well in excess of the 21m gap which is usually sought to maintain amenity where there would be opposing elevations at two sites on the same level.

Therefore, since it appears possible that the development could be constructed without causing significant detriment to the outlook or privacy of other residents, or being close enough to cause overshadowing, there are no objections at this stage.

Access and highway safety

Access

The proposed 15 dwellings would be served via a new road from Burgesse Crescent. The proposed new road extends for circa 200m before terminating at a turning area. Given that the new road will serve in excess of 5 residential dwellings it must be constructed in accordance with RCTCBC Highway Design Guide and offered for adoption via a Section 38 Highway Agreement.

The proposed road is in principle considered acceptable. However, the footway on the northern side of the proposed road should extend across the driveway access to plot 1 and continue thereafter as a 0.5m wide hard margin strip.

Off-site Highway Improvements

The submitted sketch of the proposed site layout indicates that a 2m wide footway is to be provided on the development side of Burgess Crescent along their common boundary for a distance of circa 70m. The footway extends as far as possible within the developer's ownership and terminates with an uncontrolled crossing point to the footway opposite. The proposed footway is considered acceptable subject to detailed design details.

Sustainability

The proposal is considered to be located within a sustainable location in accordance with Active Travel (Wales) Act 2013, which would encourage walking and cycling to access local amenities.

Steps and Gate

The submitted 'sketch site layout' indicates provision of steps and a gateway. A future reserved matters application should replace this with a sloped pedestrian footway rather than steps. If it is not possible to construct an inclusive mobility compliant ramp, then the steps would not be adopted and maintained at public expense.

Off-Street Parking Provision

In accordance with the Council's SPG for Access, Circulation and Parking Requirements, 1-2 bedroom dwellings would require a maximum off-street parking requirement of 2 spaces and 3+ bedroom dwellings have a requirement of 3 spaces. There is also a requirement of 1 space per 5 dwellings for visitors. The levels of parking provided on plan '1056/PP.02' is considered to be acceptable for this development, as the table below indicates:

Dwelling type	No. of dwellings	Maximum Parking Spaces Required	Spaces Provided
3 bed	11	33	33
2 bed	4	8	8
Visitor	0	3	0
TOTAL	15	44	41

The submitted Transport Statement does not specify any requirement for cycle parking on the development; however, it is considered that the provision can be provided securely in proposed amenity areas and garages.

Transport Statement & Trip Generation

A transport statement (TS) has been provided in aid of the application. Trip generation has been assessed in accordance with the TRICS database and indicates 80 trips per day, with 9 in the am peak and a further 9 in the pm peak. 9 trips within a peak hour is considered to be an insignificant increase over existing levels of traffic on the local highway network.

Residential Travel Plan

The submitted TS refers to the need for a robust residential travel plan to encourage use of sustainable modes of travel, for which a condition has been recommended.

In light of the above assessment, no highway objection is raised.

Public Health

No consultation response had been received from the Public Health and Protection Division at the time of writing.

However, the Council's records demonstrate that a section of the application site, towards its western boundary, is noted as having accommodated storage tanks. Consequently, it is designated as being potentially contaminated land and a condition for a site investigation for contamination is recommended below.

Ecology

The Preliminary Ecological Appraisal (PEA) identifies that the site supports a mosaic of mainly drier, relatively species poor grassland, but with areas of wetter more ecologically diverse grassland and fen (particularly along the southern community route boundary), some scrub, and to the south the woodland edge of the community route. The PEA identifies the potential for some loss of bat foraging habitat, and potential lighting impacts, but equally the opportunity for bat roost provision within the new builds.

Although no dormouse evidence was found, the ecology assessment identifies a potential (through connected habitat) that dormice might use the site, but identifies that suitable dormouse habitat will be retained, and that with mitigation there is limited impact on dormice. It is noted that NRW have raised no objection on the basis of dormouse impact providing precautionary mitigation measures are employed. Amongst a number of mitigation proposals, the PEA also identifies some potential

impacts requiring mitigation for reptiles, amphibians and hedgehogs and the need for precautionary pre-construction re-check for badger setts.

The protection of key habitats, including the adjacent southern woodland edge, during construction is identified as a key PEA recommendation. Measures to try to retain areas of fen meadow (and the locally uncommon marsh valerian) and to incorporate fen meadow habitats and management into SUDs development is recommended in the PEA.

Biodiversity enhancements including bird and bat bricks in new builds, and sensitive establishment and management of dual purpose areas of biodiversity grassland/amenity space and biodiversity/SUDs are identified. These can be obtained for this site, as outlined by the Preliminary Ecological Assessment, for which condition 4 is recommended as a means to secure them.

However, as an outline application with all matters reserved, such details would be expected to be addressed by a future reserved matters application. Nevertheless, the Ecologist's opinion is that not all of the ecological potential of the existing site can be mitigated and that inevitably the loss of area of certain habitat features, including the dry and marsh grassland and fen meadow habitat will not be fully mitigable. There is therefore likely to be a net negative local biodiversity impact associated with the development. It is therefore very important that robust long-term mitigation is secured for those elements that can be delivered. It will also be important that the design and development of the SUDS feature incorporates the objectives of fen meadow mitigation.

PPW 11 notes that where the adverse effect on the environment clearly outweighs other material considerations, the development should be refused. Therefore, the negative local impact has to be set against the other material matters which weigh in favour of the development.

The key material matter is that this greenfield site is already allocated for housing and meets the Southern Strategy Area policies outlined further above. In addition, no objections have been received from any other statutory consultees, including NRW.

Therefore, notwithstanding that the submitted detail is largely indicative, it is considered that there are no sustainable planning reasons to warrant a recommendation of refusal at this stage.

National Sustainable Placemaking Outcomes

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

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

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

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

- **Creating and Sustaining Communities:** The density of the development would be acceptable and appropriate for this edge of settlement location and as an allocated housing site would contribute to the overall housing requirement within the Southern Strategy Area
- **Facilitating Accessible and Healthy Environments:** The application site is in a very sustainable location, being close to a walking/cycle path and bus route. In addition, Talbot Green Town Centre & Retail Park are located within easy walking distance, as are the schools at Penygawsi and Y Pant.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs and would create footfall in the nearby retail centre.
- **Maximising Environmental Protection:** The development would require biodiversity mitigation and enhancement measures in accordance with PPW 11. However, it is recognised that as an undeveloped site there would be a negative biodiversity impact due to the loss of grassland.

In respect of the other national outcomes listed the development would be considered to have a neutral impact.

Community Infrastructure Levy (CIL) Liability

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

As planning permission first permits development on the day of the final approval of the last of the reserved matters CIL is not payable at outline stage but will be calculated for any future reserved matters or full applications.

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

Policy SSA 12 of the adopted LDP requires 20% affordable housing provision on sites of 5 units or more in the Southern Strategy Area. As the proposal concerned is for 15 residential units, 3 units of affordable housing should be secured to satisfy these requirements.

Based on the findings of the Local Housing Market Assessment 2017/23, it is recommended that the following affordable housing unit mix be secured on site, via a S.106 agreement, to satisfy these requirements:

- 2 x 2 bedroom houses for low cost home ownership
- 1 x 3 bedroom house for low cost home ownership

The Low Cost Home Ownership units should be built to Development Quality Requirement standard and made available for sale to Council nominated first time buyers from the Homestep Register. The developer's contribution should equate to 30% of the open market value for each unit, i.e., the nominated purchaser should pay no more than 70% of the open market value per unit.

Conclusion

Due to its location within the settlement boundary and particularly its designation as an allocated housing site within the current Local Development Plan, there is strong presumption in favour of the principle of development.

The submitted illustrative plan demonstrates how the layout of the development and properties could be arranged on site. Whilst all such design details would be considered at the reserved matters stage it is considered that the application has demonstrated that the site is capable of accommodating the size of development proposed.

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

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. No development shall commence, including any works of site clearance, until details of a scheme of ecological mitigation and enhancement, including measures identified within the Preliminary Ecological Appraisal (Pryce Consultant Ecologists, dated 21st June 2021), has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall also include details of how habitat mitigation for fen meadow habitat can be accommodated within SUDs design and cross referenced to drainage requirements in condition 6 and shall include a long-term habitat and species mitigation management plan for those areas.

The scheme shall be implemented in accordance with the approved details prior to beneficial occupation of any dwelling and maintained as such in perpetuity.

Reason: In the interest of the protection of the natural environment in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence until a point of connection on the public sewerage system has been identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the Local Planning Authority. Thereafter the connection shall be made in accordance with the recommended connection option following the implementation of any necessary reinforcement works to the sewerage system, as may be identified by the hydraulic modelling assessment.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall commence until details of a scheme for the management of surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall indicate how the development is to comply with the requirements of Section 8.3 of PPW Technical Advice Note 15 and 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.

7. No development shall commence until full engineering design and details of the road layout including sections, street lighting and surface-water drainage and pedestrian crossing points have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall commence until details providing for the creation a 2m wide footway on the development side of Burgesse Crescent have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior of beneficial occupation of any dwelling.

Reason: 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.

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

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

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

10. No development shall commence until full details of all external lighting have been submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used.
- Drawings setting out light spillage in key sensitive areas, in particular the wooded/scrubby habitats to the south of the proposed development site.
- Details of lighting to be used both during construction and operation.
- Measures to monitor light spillage once development is operational.

The lighting shall be installed and retained as approved during construction and operation. No other external lighting shall be erected on either the completed dwellings or within their curtilages.

Reason: In the interest of protected species and their habitats and commuting corridors in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

11. i). No development shall commence until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme, all aspects of which must be carried out by, or under the direction of, a suitably qualified competent person in accordance with BS10175, shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

(a) A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.

(b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (a) above.

(c) A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

ii). The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (i) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by, or under the direction of, a suitably qualified competent person.

iii). If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the work recommencing. Any revised contamination proposals shall be carried out by, or under the direction of, a suitably qualified competent person.

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

12. Prior to beneficial occupation of any dwelling the Developer shall provide the occupier of each dwelling with a Travel Plan / Welcome Pack which should contain the following:

a) Bus/Train Service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport.

b) Park and Ride/Park and Share facilities and associated costs and restrictions on use of such facilities.

c) Pedestrian links to public transport services, to local facilities, areas of employment, education and leisure.

d) Local and national cycle routes.

e) Any other measures that would encourage use of sustainable modes of travel.

Reason: To ensure reduction of road traffic and promotion of sustainable modes of travel in accordance with PPW11 and the Active Travel (Wales) Act 2013.

13. Deliveries shall not be taken at or dispatched from the site outside the hours of 09:00am to 16:30pm Monday to Friday, 09:30am to 13:00pm on Saturdays and not at all on Sundays and Bank Holidays.

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.

PLANNING & DEVELOPMENT COMMITTEE

18 AUGUST 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0728/10 (EL)
APPLICANT: M Hope Capital Ltd
DEVELOPMENT: Change of use of ground floor from Class A3 (Food and Drink) to Class C3 (Residential Flat).
LOCATION: LLANTWIT HOUSE, SHAZS INDIAN TAKEAWAY, LLANTRISANT ROAD, LLANTWIT FARDRE, CF38 2LT
DATE REGISTERED: 17/06/2022
ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: APPROVE

REASONS:

The development would enable the beneficial re-use of the ground floor of a currently vacant commercial unit that is located in a sustainable location, with good public transport links. The remainder of the building already benefits from planning permission for its conversion to residential flats.

In addition to its contribution to the regeneration of the local area, the refurbished building would result in an improvement to the appearance of the street scene, whilst providing an additional housing unit.

REASON APPLICATION REPORTED TO COMMITTEE:

- The proposal is not covered by determination powers delegated to The Director of Prosperity and Development;
- 3 or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for the Change of use of the ground floor of Llantwit House, Llantrisant Road, Llantwit Fardre, from a Class A3 hot food takeaway to Class C3 residential flat.

The proposed conversion would be undertaken largely within the fabric of the existing building. The former ground floor commercial unit would be converted to form a two-bedroom residential unit. Access to the proposed flat would be gained via a communal hallway, which would also serve adjoining flats (approved by app 20/0201/10) located within the remainder of the building. The proposed flat would benefit from separate living and kitchen spaces (situated toward the front of the building) with two bedrooms (situated toward the rear). Externally, it is proposed that the existing shopfront be removed and replaced with three conventional windows which would replicate the style, size and proportions of those currently visible at first floor level. To the rear the existing pattern of fenestration would be retained and utilised to serve the bedrooms.

As noted above, the remainder of the building already benefits from planning permission for conversion to residential use, with 6 flats being arranged at ground, first and second floor (and accessed via a communal entrance at the front of the building onto Llantrisant Road) and a further 2 flats being located at lower ground floor, with their entrances onto the proposed parking area at the rear.

The earlier approved scheme also includes the provision of 7 off-street car parking spaces at the rear of the building. The parking spaces would be accessed via an existing lane off Crown Hill to the west. No further car parking is proposed as part of the current application.

The 2020 application for the wider site also approved the provision of an external bin store to the side of the building. The agent has confirmed that sufficient space exists within this area to also accommodate bin storage for current proposal.

SITE APPRAISAL

The application site relates to a large, detached building that is located on Llantrisant Road, the main road through the village of Llantwit Fardre. The building has a frontage directly onto the footway to the north but also benefits from a secondary access at the rear which is accessed via an un-made lane off Crown Hill to the west. A hot food takeaway previously occupied the part of the ground floor to which the current application relates. The remainder of the building benefits from planning permission for conversion to residential flats. At the time of the site visit, works associated with this conversion had commenced. The surrounding area is predominantly residential in character however, there are a number of commercial uses in the vicinity, including a convenience store and public house. The site is bound by existing residential properties to the east, west and south with further residential properties and a Public House (The Crown) being located on the opposite side of the road to the north.

PLANNING HISTORY

Previous relevant applications that have been made on this site are as follows

22/0407	Llantwit House, Llantrisant Road, Llantwit Fardre	Discharge of Condition 6 (Drainage) of planning permission ref. 20/0201/10	Granted 15/07/22
20/0201	Llantwit House, Llantrisant Road, Llantwit Fardre	Conversion and extension of Llantwit House to provide 8 no. self- contained flats, parking and associated works (Bat Survey Rec 16/07/2020).	Granted with conditions 28/01/22
12/0206	Shaz's Indian Takeaway, Bryn House, Llantrisant Road, Llantwit Fardre	Extension of A3 takeaway into adjoining shop	Refused 20/11/2012
07/0263	Llantwit House, Main Road, Church Village, Pontypridd, CF38 1RN	Change of use from photographers to hairdressing salon (Class A1)	Granted 14/ 05/07
04/1537	Llantwit House, Main Road, Church Village, Pontypridd, CF38 1RN	Change of Use from Cheers Off Licence to A3. Use - Hot Food Takeaway.	Refused 18/11/04 Appeal: Dismissed 05/05/05
94/0721	Charlotte's Restaurant, Llantwit House, Llantrisant Road, Llantwit Fardre, Pontypridd.	Change of Use from Class A1 Use to Class 3 Hot Food Use.	Granted 14/12/94
78/0801	Llantwit House, Main Road, Church Village, Pontypridd, CF38 1RN	Parking touring caravan at rear of house on garage hardstanding	Refused 26/07/78
78/0017	Llantwit House, Main Road, Church Village, Pontypridd, CF38 1RN	Change of use of ground floor from empty café to insurance broker and building society	Granted 18/07/78

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 total of 3 letters of objection have been received in relation to the proposal and are summarised as follows:

- Concern is expressed with regard to the addition of another flat to the approved scheme.
- It is suggested that there is insufficient space available to accommodate the approved parking.
- It is commented that since conversion works have commenced residents have experienced problems relating to rubbish at the site, fires being lit, access to their garage being blocked and work starting early in the morning causing disturbance.
- A neighbouring occupier expresses concern over the provision of parking to serve the development.
- Questions are raised with regard to the who the future occupiers may be.
- Concerns are expressed with regard to the potential for noise disturbance to arise as a result of the development.
- A resident of Llest Terrace highlights the difficulties that residents of existing properties (along the main road) have experienced over the last 10 years, in terms of parking and highway safety. They express concern that insufficient parking at the development site will mean that future occupiers will be forced to park on the main road thereby exacerbating parking problems.
- The matter of dangerous driving along Llantrisant Road is also highlighted.

CONSULTATION

Highways and Transportation – No objections raised.

Ecology – No objections raised, the earlier approved scheme for the remainder of the building secured biodiversity enhancements by way of bird (swift) box provision.

Flood Risk Management – No objections raised.

Natural Resources Wales – No objections raised.

Dwr Cymru – No objections raised, condition and advisory notes recommended.

The Coal Authority – No objections raised.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021 and that it is in the process of being reviewed. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies inside the defined settlement boundary and is unallocated.

CS2 – emphasis on sustainable growth that benefits Rhondda Cynon Taf as a whole by focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings.

CS4 & CS5 – concerned with meeting the housing requirement of 14,385 dwellings over the plan period, including the provision of affordable housing.

AW1 – sets a target for the provision of new housing including amongst other things, through the conversion of suitable existing buildings.

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

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

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

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

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

SSA13 - provides the criteria for development within settlement limits.

Supplementary Planning Guidance

Access, Circulation and Parking
Development of Flats

National Guidance

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

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

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

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

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

Policies CS2, AW1, AW2 and SSA13 all support residential development within sustainable locations with Policy AW2 defining a sustainable location as a site that is located within defined settlement boundary, has good accessibility by a range of sustainable transport options and has good access to key services and facilities. It also requires proposed developments to be compatible with surrounding land uses.

The application site is located inside the defined settlement boundary for Llantwit Fardre and within an area which is predominantly residential in character. There are a number of amenities located in the vicinity and the towns of Pontypridd and Llantrisant/Talbot Green are accessible by local bus services that run along Llantrisant Road.

Policy AW1 further supports residential development through the conversion of suitable structures whilst Policy CS2 promotes the reuse of underused and previously developed land and buildings. The building in question is a prominent structure located on the main road through the village of Llantwit Fardre, it is understood that parts of the buildings have been vacant for an extended period of time and as a consequence, it is currently in a poor state of repair. However, as detailed in preceding sections of the report, planning permission was recently approved for the conversion of the remainder of the building to form 8 no. self contained flats (20/0201/10), presenting a positive opportunity for the re-use of the building. At the time of the 2020 application, it is understood that the ground floor commercial unit (which is the subject of this application) was still being leased as a hot food takeaway and as such, was excluded from that submission. However, as the lease has now expired, the current application seeks to convert the former take away unit to a Class C3 residential flat. Given that the remainder of the building already benefits from planning permission to conversion to similarly sized residential units, and that the site is situated in a sustainable location it is considered that the principle of the proposal is acceptable, subject to compliance with other relevant policies of the Local Development Plan and adequate parking and amenity standards being achievable. These matters are considered in the following sections of the report.

Impact on the character and appearance of the area

The proposed conversion would be undertaken largely within the fabric of the existing building. The former ground floor commercial unit would be converted to form a two-bedroom residential unit. Access to the proposed flat would be gained via a communal hallway, which would also serve adjoining flats (approved by app 20/0201/10) located within the remainder of the building. The proposed flat would benefit from separate living and kitchen spaces (situated toward the front of the building) with two bedrooms (situated toward the rear). Externally, it is proposed that the existing shopfront be removed and replaced with three conventional windows which would replicate the style, size and proportions of those currently visible at first floor level. To the rear the existing pattern of fenestration would be retained and utilised to serve the bedrooms. The building, as a whole has been neglected with its external appearance being run-down. However, the earlier approved scheme to convert and refurbish the property presents a positive opportunity to update and improve the appearance of the property and its impact on the streetscene. It is considered that the conversion of the ground floor commercial unit would add to this, by the removal of the dated commercial shopfront and signage and the re-instatement of fenestration which replicates the traditional character of the original building. As such, it is not considered that the

proposal would adversely impact upon either the character and appearance of the site or the surrounding area.

To conclude, it is considered that the proposed development would make a positive contribution to the character and appearance of the locality and is considered compliant with the requirements of Local Development Plan policies AW5 and AW6.

Residential amenity and privacy

The proposal would result in the conversion of a part of the ground floor of the building to 1 no. self-contained flat. However, this would be read as part of a wider refurbishment programme, by which the remainder of the building will be converted to form 8 no. residential flats. The potential impacts arising from the conversion of the wider building were considered during the assessment of the 2020 planning application at which point it was concluded that, no unacceptable impacts upon the levels of amenity or privacy, currently enjoyed by neighbouring occupiers would result.

Nevertheless, it is still necessary to consider the potential additional impacts which may arise by the conversion of the existing ground floor commercial unit. As noted above, the conversion would be undertaken within the fabric of the existing building, with no extensions or increase in footprint proposed as part of this scheme. Similarly, where possible, the existing pattern of fenestration, that being openings located to the front and rear elevations of the building would be utilised. The openings to the front elevation would serve the kitchen and living space, with these addressing the busy road that fronts the site. Whilst residential properties are situated opposite the site, with separation distances in the region of 20 metres the privacy of these dwellings would not be compromised.

Matters relating to the relationship and potential for overlooking towards the property at the rear of the site ('Langham') were considered during the assessment of the 2020 planning application. It was acknowledged that, as that scheme incorporated windows in the rear elevation, that would face towards that property, some perception of overlooking to the side elevation of 'Langham' may result. Similarly, it is acknowledged that the current application seeks to re-use existing openings in the rear elevation to serve the bedrooms of the residential flat proposed by this submission. However, consideration must be given to the fact that this scheme seeks to re-use existing openings, rather than create any new. Furthermore, it is understood that parts of the building have historically been used for residential use. As such, having assessed the scheme, it is not considered that any impacts arising from the creation of the flat proposed would present an unacceptable loss of privacy or amenity impact, greater than that already approved by the 2020 application.

In terms of the amenity of any future occupiers of the flats, SPG: Development of Flats requires flats to provide an acceptable quality of accommodation. It states that flats should be of suitable size and habitable rooms should have a reasonable outlook and level of natural daylighting and ventilation. It also states that flats are unlikely to be

acceptable where they are located solely in basements, where habitable rooms would only have rooflight windows, or where they are accessed solely from the rear of the building.

Having assessed the application, it is considered that the flat proposed meets the above requirements. The layout illustrates the provision of separate living and kitchen spaces, with two reasonable sized bedrooms, all of which would be served by conventional windows would a good outlook. Similarly, the unit would be accessed via communal hallway, with front door located to the front elevation of the property. As such, it is considered that the size and quality of the accommodation proposed is acceptable and in compliance with planning guidance.

Following the publicity of the current planning application it is noted that objections were received from the residents of three properties located adjacent to the application site. Their objections are summarised in the publicity section of the report, however two of the points raised relate to the disturbance caused by the building works and the future tenure of the unit(s).

Whilst neighbours' concerns about disturbance that may be caused by the potential behaviour of future occupiers is noted, the future tenure of the residential unit or its occupants behaviour, is not in itself a material planning consideration that may be taken into account in the assessment of this planning application.

Similarly, whilst it is acknowledged that some degree of disturbance may be inevitable as the physical works associated with the conversion are undertaken, this in itself is likely to be short lived. Furthermore, it is noted that the Council's Public Health and Protection Section benefit from legislation, independent of the planning system, which would allow them to take action, should unacceptable impacts arise in terms of noise, which constitute a statutory nuisance.

Taking the above points into consideration, it is not considered that the proposal would have such a significant impact upon the amenity and privacy of neighbouring properties or upon future occupiers, so as to warrant the refusal of the application. The application is therefore considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance: Development of Flats.

Highway Safety

With regard to the potential impact upon highway safety, following consultation with the Council's Transportation Section, it is noted that no objections have been raised to the proposal. Their response is summarised as follows:

Access

In terms of access, the primary pedestrian access for the flat, is served off Llantrisant Road, which has a footway width of 1.9 metres and a road width of 8.2 metres, which is considered acceptable.

The vehicular access would be located at the rear of the property, which is served off an un-adopted lane adjacent to Crownhill. This lane has no footways and has a width of 5.4 metres at its widest point and 3.2 metres at its narrowest point.

Parking

In terms of parking requirements, the existing use (that being a Class A3 take away) requires up-to a maximum of 1 commercial vehicle space and parking spaces in close proximity, to demonstrate that customers can park without creating a detriment to highway safety and the free flow of traffic in accordance with the Supplementary Planning Guidance: Access, Circulation & Parking 2011.

In accordance with the Councils Supplementary Planning Guidance: Access, Circulation & Parking 2011, the proposed development of a Class C3 residential flat, requires up-to a maximum of 2 spaces with none provided.

There is concern that the site is short of the maximum standards, both in terms of the proposed and existing provision required. However, taking into account the sustainable location of the proposal and the existing (consented) use of the building (8 residential units) on-balance it is considered that the proposed is acceptable.

It is also noted that the proposed use would not attract the trips or parking requirements that the existing use requires, and the change of use presented is seen as a betterment to the highway safety situation.

It is noted that letters of objection received from neighbouring occupiers also raise concerns with regards to parking and highway safety in the area however, taking into account the comments received from the Council's Transportation Section, the proposal is considered to be acceptable in this regard and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this regard.

Other issues

Public Health

The Council's Public Health & Protection Section have raised no objection to the proposal, however, a number of conditions have been suggested in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that issues relating to hours of operation, noise, dust and waste can be more efficiently controlled by other legislation and the suggested conditions are not

considered necessary. An appropriate informative note is considered to be sufficient in this instance.

Community Infrastructure Levy Liability

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

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

The proposed development involves the change of use of part of an existing building. To determine the CIL liable amount the developer is gathering evidence to demonstrate that part of the existing building satisfies the CIL tests of being an 'in-use' building to enable the existing floor space to be deducted from the proposed.

Conclusion

The development would enable the beneficial re-use of part of a building, the remainder of which already benefits from planning permission for its conversion to a residential use. The property is located in a sustainable location, and the residential unit presented would offer a good quality unit of accommodation for future occupiers. It is not considered that the proposal would give rise to any significant or detrimental impact upon the character and appearance of the area or upon neighbouring properties in the area. Furthermore, the proposal is considered acceptable in terms of its potential impacts upon highway safety. Therefore, the application is considered to accord with the requirements of planning policy and as such, is recommended for approval, subject to the conditions specified below.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)
 - Drawing no. A001 Site location plan
 - Drawing no. 2109-011 Existing plans and elevations
 - Drawing no. 2109-012 Proposed plans and elevations

and documents received by the Local Planning Authority on 10/06/22 and 23/06/22 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 external materials of the proposed conversion shall match as near as possible the materials of the original building.

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.

PLANNING & DEVELOPMENT COMMITTEE

18 AUGUST 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0769/10 (LJH)
APPLICANT: Mr and Mrs Phelps
DEVELOPMENT: Detached dwelling, land formation, access widening and car parking (Re-submission of 21/1662/10).
LOCATION: LAND TO THE WEST OF HEOL LLECHAU ALLOTMENT, HEOL LLECHAU, WATTSTOWN, PORTH
DATE REGISTERED: 22/06/2022
ELECTORAL DIVISION: Tylorstown and Ynyshir

RECOMMENDATION: REFUSE DUE TO THE FOLLOWING REASONS:

The size of the proposed plot does not accord with the size of the dwelling proposed and whilst the site lies adjacent to the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP), the plot has clearly been extended to the settlement boundary in an attempt to overcome a principal objection; and the location of the proposed dwelling and its curtilage is actually detached from the settlement boundary, in an unsustainable location. New residential development is not supported in such a location and no suitable justification has been submitted to negate this. The development is also considered to be discordant and incongruous having a detrimental impact upon the character and appearance of this rural area due to its prominent position. The proposal therefore is contrary to Policies AW1, AW2, and AW6 of the Rhondda Cynon Taf Local Development Plan.

REASON REPORTED TO COMMITTEE

The application is reported to the Planning and Development Committee for determination at the request of Councillor Robert Bevan so that Members can fully consider the principle of the proposed development.

APPLICATION DETAILS

Full planning permission is sought for the erection of a new detached dwelling on land to the west of Heol Llechau Allotment, Heol Llechau, Wattstown, Porth.

The two-storey detached dwelling and associated detached garage are proposed to be sited within the northern part of the plot. The dwelling is proposed to have an 'L' shaped footprint and would measure 13.3 metres in width by a maximum of 12.65 metres in depth, and would have a hipped roof measuring a total height of 8.5 metres, sloping to 5.1 metres at the eaves. The main living areas would be laid out at ground floor level with three bedrooms, one with en-suite, and a shower room at first floor level.

The detached garage is proposed to measure 5.6 metres in width by 6.75 metres in depth and would also have a hipped roof measuring a total height of 5.1 metres, falling to 2.4 metres at the eaves. The dwelling and garage are proposed to be finished in render, stonework, artificial slate roof tiles, and uPVC.

Access to the site is proposed from Heol Llechau via the lane serving Cartref Melys to the east, which is under the ownership of the Council.

The application also seeks retrospective consent for engineering works already undertaken to the site. The works consist of land formation works and the importation of soil onto the site that has resulted in the levelling of the land over some of the plot area.

It must be noted that this application constitutes a re-submission of application ref. 21/1662/10 for the same proposal which was refused under delegated powers in March 2022. The previous application was refused for the same reason this application is recommended for refusal in addition to a highways refusal reason, where it was deemed that the private shared access was sub-standard in terms of width and turning facilities and that the development would increase reversing movements to and from Heol Llechau to the detriment of highway safety.

The re-submission differs slightly in that the red line boundary now includes all of the land where formation works have taken place, the orientation of the proposed dwelling has altered slightly (it now faces north where as it was previously proposed to face north-west), the design of the dwelling has also altered with the single storey rear section being on the lefthand side of the rear elevation rather than on the righthand side, the dwelling is also designed to be smaller in depth by 1.3 metres and in height by 0.7 metres. In addition, a Transport Technical Note prepared by Lime Transport accompanies the application to address the previous reason for refusal and overcome the previous highways objection.

SITE APPRAISAL

The site is irregularly shaped and extends to 0.43 hectares. It bounds open countryside on the north and west, the settlement boundary to the west of Pleasant View and the trackway to the east. The site is gated and enclosed by rural style fencing. The front elevation of the proposed property addresses a north-westerly direction. To the east the dwelling would be largely screened from the adopted highway by the existing dwelling known as 'Cartref Melys', which is a detached

property of modern design and construction. To the south-west lies Pleasant View which is set at a lower level. The land profile of the site has recently changed, in effect, the steepness of the site has been removed with the importation of soil creating a plateau for future development. Land to the north remains with its original profile along with the land to the south which is steeper.

PLANNING HISTORY

21/1662/10: LAND TO THE WEST OF HEOL LLECHAU ALLOTMENT, HEOL LLECHAU, WATTSTOWN, PORTH

Erection of detached dwelling including land formation, access widening, and car parking (Red line boundary amended 04/02/2022).

Decision: 23/03/2022, Refused.

20/5062/41: LAND TO THE WEST OF HEOL LLECHAU, WATTSTOWN.

Pre-application enquiry for a proposed 3/4 bedroom dwelling.

Decision: 21/07/2020, Objection raised.

PUBLICITY

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

CONSULTATION

Highways and Transportation – No objection raised subject to conditions relating to access/parking/turning facilities, surface water run-off, and a Construction Method Statement.

Flood Risk Management – The development's surface water flood risk will be adequately managed by the requirements of both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010. However, the application proposes to culvert a drainage ditch which has been identified as an ordinary watercourse and objection would be raised to this proposal because of the adverse flood risk impacts that are likely to arise.

Public Health & Protection – No objection subject to conditions relating to demolition, hours of operation, noise, dust, waste, and lighting.

Ecology – No objection subject to a condition relating to submission of suitable mitigation/enhancement measures.

Dwr Cymru Welsh Water - No objection in principle to the foul flows being discharged to the public sewer. A condition is suggested to ensure that no surface water is discharged via the public sewerage network. Further general advice is also provided.

Western Power – No objection or conditions suggested. It is advised that the Applicant is made aware that if they require a new connection or a service alteration they will need to make a separate application to WPD.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The site is located in the Northern Strategy Area, outside of but adjacent to the defined settlement boundary.

Policy CS1 – The policy emphasis is on sustainable growth in the Northern Strategy Area, to be achieved by focusing development within settlement boundaries and promoting residential development which respects the character and context of the surrounding area.

Policy AW1 – The policy outlines the strategies used to meet housing land requirements. It does not include development of unallocated sites outside settlement boundaries as a strategy.

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

Policy AW5 – The policy sets out criteria for appropriate amenity and accessibility on new development sites.

Policy AW6 – The policy requires that development proposals are of a high standard of design and are appropriate to the local context in terms of siting, appearance, scale, height, massing, elevational treatment, materials and detailing.

Policy NSA12 – The policy supports residential development proposals which are situated only within or adjacent to the defined settlement boundary.

SPG – Design and Placemaking

SPG – Delivering Design and Placemaking: Access, Circulation and Parking Requirements

National Guidance

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

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

It is 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, as set out further below.

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

1. Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
2. Policy 3 – Supporting Urban Growth – Council and /Placemaking/developers/regeneration/sustainable communities'/exemplar developments.

Other national policy guidance considered:

PPW Technical Advice Note 5 – Nature Conservation and Planning

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 18 – Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application seeks consent for the erection of a new detached dwelling at the site, which is located outside of but directly adjacent to the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP).

Policy NSA12 of the LDP states that amongst other criteria, proposals for residential development outside of but adjoining the defined settlement boundary in the Northern Strategy Area will be permitted where it can be demonstrated that the site is bound on at least one side by the defined settlement boundary and the scale, form and design of the proposed development does not adversely affect the amenity or character of the site, surrounding, or wider area.

While it is accepted that one side of the red line boundary of this application site directly bounds the settlement boundary of Wattstown, the application site is not commensurate the size of the curtilage of a residential dwelling and has clearly been extended towards the settlement boundary in an attempt to satisfy the criteria of Policy NSA12 and to overcome a principal reason for refusal, i.e., a new dwelling in the countryside with no justification for agricultural purposes.

As such, the area of land that would actually be the residential curtilage of the proposed dwelling and should form the red line boundary of this application is clearly outside of and detached from the settlement boundary in this location, in an unsustainable location.

In addition, whilst only a single dwelling, it would constitute an incremental erosion of the countryside in this location, having a detrimental impact upon the character of the site and surrounding area.

Consequently, taking into account the above, the proposal would constitute unjustified development within an unsustainable location in the countryside. The principle of development is therefore contrary to the sustainable development aims of Planning Policy Wales and Policies CS1, AW1, AW2 and NSA12 of the LDP.

Impact on character and appearance of the area

With regards to the impact upon the character and appearance of the area, the site is well screened from the adjacent highway, Heol Llechau, by the existing detached dwelling, Cartref Melys, and the mature tree line that follows the northern boundary of

the allotments site. It would also not form a highly visible addition when viewed from Pleasant View due to the topography of the area. With this being said, the dwelling would be a highly prominent addition to the wider area when viewed from the main thoroughfare (A4233) and across the Valley. As such the dwelling would appear to be isolated from the settlement of Wattstown and would form a discordant and incongruous feature which would have a detrimental impact upon the character and appearance of the area.

It is noted that the dwelling has been reduced slightly in depth and height from the original submission and is now proposed to be orientated to face north, however, it is not considered that the amendments to the design go far enough to overcome the detrimental impact it would have upon the character and appearance of the area. The proposal therefore does not accord with Policy AW6 of the Rhondda Cynon Taf Local Development Plan and is considered not to be acceptable in this regard.

It is further considered that the earthworks already undertaken at the site are unacceptable in terms of the impact on the character and appearance of the site and wider area as they have altered the natural landscape by creating a step within the profile of the land. A feature that now scars the landscape in this area and is at complete odds with its surroundings.

Impact on highway safety

In order to aid in the assessment of the potential highway safety impacts of the development, consultation has been undertaken with the Council's Transportation Section.

In terms of access their observations comment that the proposed dwelling is situated at the western end of a cul-de-sac (Heol Llechau) and served off an access track. The network of streets leading to the proposed are sub-standard in terms of junction radii, visibility at the junctions, and are oversubscribed with on-street car parking.

The proposed is served off a shared access (track) currently serving one dwelling with the proposed dwelling and another possible dwelling (application ref. 21/1690) taking the number to three dwellings, dependent on planning permissions being granted. The shared access as proposed is lacking in width for safe two-way vehicular movement for part of its length however, taking into account the private shared access is 5.5m to the point of access for the proposed single dwelling, the limited additional traffic generated by the proposed (6 trips) with good sight lines reducing the potential for reversing vehicles, with provision of a turning facility to cater for emergency service vehicles, on-balance, the proposed is acceptable.

The following additional information has been submitted by the applicant to overcome the previous highway concerns.

As part of the development, it is proposed to:

- Upgrade the surface of the driveway (from the edge of the adopted highway to the access to the property);
- Provide localised widening along the driveway, to improve forward visibility along the driveway; and,
- Provide a turning area for larger vehicles, in front of the proposed dwelling, such that vehicles can traverse along the driveway in a forward gear.

Due to the scale of the proposals, it is likely that the volume of vehicle trips generated by the development will be low, and it is, therefore, anticipated that the driveway will operate as a single-track road, with passing places at either end.

It should also be noted that a planning application (21/1690/10) has been submitted recently for the construction of a new dwelling at the eastern end of the lane (adjacent to the existing dwelling – Cartref Melys). As part of the new dwelling, it is proposed to extend the 5.5m shared private access to serve the additional dwelling, which will:

- Reduce the length of the private driveway serving the proposed dwelling; and,
- Improve forward visibility, particularly for eastbound vehicles.

It is therefore considered that the width of the private driveway (leading to the proposed dwelling) is more than sufficient to accommodate the range of vehicles likely to access the dwelling. It is also considered that the likelihood of two vehicles (travelling in opposite directions) meeting on the single-track section of the lane will be negligible, particularly when considering the forward visibility available at either end of the lane and therefore, the likelihood of a vehicle reversing onto the public highway, to the detriment of safety of other highway users, will be negligible.

In terms of parking the observations comment that the proposed will have a parking requirement of up to a maximum of 3 off-street parking spaces in accordance with the Council's SPG: Access, Circulation & Parking Requirements 2011. The proposed provides in excess of 3 off-street spaces with access/egress in forward gear which is considered acceptable.

Therefore, taking the above into consideration, the proposal is, on-balance, considered to be acceptable in terms of the impact it would have on highway safety in the vicinity of the site and would comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

Given the position and proximity of the nearest residential dwellings to the site, there is not likely to be an impact upon the residential amenities of adjacent occupiers in terms of loss of privacy, shadowing, or being overbearing.

Other Issues

The following other considerations have been taken into account with regard to this application, though were not key determining factors in reaching the recommendation:

Public Health

With regard to the issues raised by the Public Health and Protection Section, it is considered noise, dust, waste, and lighting matters from construction activities can be more efficiently controlled by other legislation.

Drainage

The Council's Flood Risk Management Section have commented that the applicant will be required to submit a SuDS application and comply with Part H of the Building Regulations which would ensure appropriate drainage is implemented at the site.

However, it was also noted that the application proposes to culvert a drainage ditch which has been identified as an ordinary watercourse. Objection is raised to the culverting of the existing drainage ditch because of the adverse flood risk impacts that are likely to arise. Culverting should only be considered in short lengths for access purposes or where highways cross watercourses. In such cases the length involved should be restricted to a minimum, the hydraulic and environmental design fully assessed and appropriate mitigating enhancements to the surrounding environment included in the proposal. The proposal is thereby unlikely to be accepted in its current format and an alternate scheme would be required.

No objection has been raised by Dŵr Cymru/Welsh Water subject to conditions and advisory notes.

Ecology

The Council's Ecologist has concluded that ecology issues associated with the site are likely to be minor given that it has already been cleared. However, if Members are minded to approve the application, it is recommended that a condition be appended in respect of submission of suitable mitigation/enhancement measures in line with PPW 11.

Utilities

Western Power Distribution request that the applicant be made aware that if they require a new connection or a service alteration they will need to make a separate application to WPD. The request can be satisfied by appending the appropriate informative note to any subsequent 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 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

It is acknowledged that the application site is located within the Northern Strategy Area and outside of but adjacent to the defined, fixed, settlement boundary whereby the principle of development could be acceptable. However, the plot has clearly been extended to the settlement boundary in an attempt to comply with the criteria set out in Policy NSA12 and the position of the dwelling and its curtilage within the larger than average plot is actually disconnected from the settlement boundary and the settlement of Wattstown, within an unsustainable location. Consequently, the proposed development fails to comply with the key sustainable development objectives of Policies CS1, AW1, AW2 and NSA12 of the Rhondda Cynon Taf Local Development Plan.

Further, the proposal would have an unacceptable impact upon the character and appearance of the area contrary to Policy AW6 of the Rhondda Cynon Taf Local Development Plan; and there is concern with the proposal to culvert an ordinary watercourse which could cause detriment to flood risk in the vicinity of the site.

RECOMMENDATION: REFUSE

1. The size of the proposed plot does not accord with the size of the dwelling proposed and whilst the site lies adjacent to the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP), the plot has clearly been extended to the settlement boundary in an attempt to comply with the criteria set out in Policy NSA12. Therefore, the location of the proposed dwelling and its curtilage is actually detached from the settlement boundary, in an unsustainable location. New residential development is not supported in such a location and no suitable justification has been submitted to negate this. The development is also considered to be discordant and incongruous having a detrimental impact upon the character and appearance of the area due to its prominent position. The proposal therefore is contrary to Policies AW1, AW2, and AW6 of the Rhondda Cynon Taf Local Development Plan.



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

19th July 2022

SITE MEETING

APPLICATION NO 21/1690/10 - Proposed construction of new dwelling with attached garage (Re-submission of 21/1208/10) (Amended red line boundary received 10/03/2022), LAND ADJACENT TO CARTREF MELYS, HEOL LLECHAU, WATTSTOWN, PORTH, CF39 0PP.

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Kate Spence, Council Business Unit.

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

It is recommended that Members:

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

3. BACKGROUND

- 3.1 In accordance with Minute No 6 (Planning and Development Committee – 7th July 2022), a site inspection was undertaken on Tuesday 19th July 2022 to visualise the lay of the land of the proposed development.
- 3.2 The meeting was attended by Planning and Development Committee Members, County Borough Councillors S Rees, G Hughes, C Middle, L Tomkinson and J Smith, and Local Member County Borough Councillor R Bevan.

- 3.3 Apologies for absence were received from Planning and Development Committee Members, County Borough Councillors J Bonetto, D Grehan, W Lewis, D Williams, R Williams, and Local Member County Borough Councillor J Edwards.
- 3.4 Members met at the front of Cartref Melys on Heol Llechau, Wattstown, Porth. The Planning Officer advised Members that full planning permission was sought for the erection of a new detached dwelling on the land adjacent to Cartref Melys.
- 3.5 The Planning Officer noted the recommendation to refuse the application as the site of the proposed development lies outside of the settlement boundary identified in the Rhondda Cynon Taf Local Development Plan (LDP) and is contrary to Policies AW1 and AW2.
- 3.6 Members sought further understanding as to the officer recommendation of such proposals that are contrary to policy. The Planning Officer advised that the proposed development lies well outside the settlement boundary in this case, whereas historically approved applications that were contrary to policy instead bordered the settlement boundary.
- 3.7 The Highways Officer raised no objection to the proposed development, subject to conditions relating to surfacing of the private access road, surface water run-off, the use of the garage, HGV deliveries, traffic management, and wheel washing.
- 3.8. Members discussed planning history of the site.
- 3.9 Members queried sewage and draining. The Planning Officer advised that the applicant would be required to complete a Sustainable drainage systems (SuDS) application with the Council.
- 4.0 Local Member, County Borough Councillor R Bevan spoke in support of the proposed development and shared further knowledge of the site's planning history.
- 4.1 Members queried the overbearing nature of the proposed development onto existing properties. The Planning Officer advised that the proposed detached dwelling would be sufficiently distanced from the existing dwelling, Cartref Melys.
- 4.2 The Chair thanked the Officers for the report and closed the meeting.

PLANNING & DEVELOPMENT COMMITTEE

7 JULY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1690/10 (LJH)
APPLICANT: Jones
DEVELOPMENT: Proposed construction of new dwelling with attached garage (Re-submission of 21/1208/10) (Amended red line boundary received 10/03/2022).
LOCATION: LAND ADJACENT TO CARTREF MELYS, HEOL LLECHAU, WATTSTOWN, PORTH, CF39 0PP
DATE REGISTERED: 10/03/2022
ELECTORAL DIVISION: Tylorstown and Ynyshir

RECOMMENDATION: REFUSE

REASONS: The site lies outside the settlement boundary identified in the Rhondda Cynon Taf Local Development Plan (LDP) in an unsustainable location. New residential development is not supported in such a location and no suitable justification has been submitted to negate this.

The proposal therefore is contrary to Policies AW1 and AW2 of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

The application is reported to the Planning and Development Committee for final determination at the request of Councillors Robert Bevan and Julie Edwards so that Members can fully consider the principle of the proposed development.

APPLICATION DETAILS

Full planning permission is sought for the erection of a new detached dwelling on land adjacent to Cartref Melys, Heol Llechau, Aberllechau, Porth. The two-storey detached dwelling is proposed to be sited centrally within the plot and is proposed to measure 10 metres in depth by 20 metres in width, including the attached garage. The dwelling would have a hipped roof measuring a total height of 8.5 metres, sloping to 5 metres at the eaves. The main living areas would be laid out at ground floor level with five bedrooms and three bathrooms, including one en-suite, at first floor level.

The dwelling is proposed to be finished in render, stonework, artificial slate roof tiles, and uPVC. Access to the site is proposed from Heol Llechau and the private driveway serving Cartref Melys to the east of the site.

SITE APPRAISAL

The application site is a rectangular shaped parcel of land measuring approximately 1600m², located at the end of Heol Llechau, Aberllechau, Porth. Vehicular access to the site is gained via Heol Llechau. The front elevation of the property addresses a southerly direction. To the east the dwelling would be largely screened from the highway by the existing dwelling known as 'Cartref Melys', which is a detached property of modern design and construction. To the south of the dwelling lies allotment land, with dwellings along Pleasant View beyond.

PLANNING HISTORY

21/1208/10: CARTREF MELYS, HEOL LLECHAU, ABERLLECHAU, PORTH, CF39 0PP.

Proposed construction of new dwelling with attached garage.

Decision: 17/12/2021, Refused.

17/0651/10: LAND TO THE WEST OF HEOL LLECHAU, WATTSTOWN, PORTH.

New detached dwelling and detached garage (Amended plans received 03/08/17).

Decision: 06/09/2017, Granted.

13/0269/10: LAND TO THE WEST OF HEOL LLECHAU, WATTSTOWN.

One detached dwelling (Revised plans received 11/07/13)

Decision: 27/09/2013, Granted.

PUBLICITY

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site. No letters of objection or representation have been received.

CONSULTATION

Highways and Transportation – No objection subject to conditions relating to surfacing of the private access road, surface water run-off, the use of the garage, HGV deliveries, traffic management, and wheel washing.

Flood Risk Management – No objection subject to a condition relating to details outlining how surface water will be managed at the site. Advice is also offered in respect of both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010 (SuDS).

Public Health & Protection – No objection subject to conditions relating to demolition, hours of operation, noise, dust and waste.

Ecology – No objection subject to a condition relating to submission of suitable mitigation/enhancement measures.

Dwr Cymru Welsh Water - No objection in principle to the foul flows being discharged to the public sewer. A condition is suggested to ensure that no surface water is discharged via the public sewerage network. Further advice is provided.

Western Power – No objection or conditions suggested. It is advised that the Applicant is made aware that if they require a new connection or a service alteration they will need to make a separate application to WPD.

POLICY CONTEXT

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and is in the process of being replaced.

The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LPD for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020.

Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

Rhondda Cynon Taf Local Development Plan

The site is located in the Northern Strategy Area, outside and detached from the defined settlement boundary.

Policy CS1 – The policy emphasis is on sustainable growth in the Northern Strategy Area, to be achieved by focusing development within settlement boundaries and promoting residential development which respects the character and context of the surrounding area.

Policy AW1 – The policy outlines the strategies used to meet housing land requirements. It does not include development of unallocated sites outside settlement boundaries as a strategy.

Policy AW2 – The policy ensures that development proposals are only supported when located in sustainable locations. Such locations: 1) are within a defined

settlement boundary; 2) would not unacceptably conflict with surrounding uses; 3) have good accessibility by a range of sustainable transport options; and 4) have good access to key services and facilities.

Policy AW5 – The policy sets out criteria for appropriate amenity and accessibility on new development sites.

Policy AW6 – The policy requires that development proposals are of a high standard of design and are appropriate to the local context in terms of siting, appearance, scale, height, massing, elevational treatment, materials and detailing.

Policy NSA12 – The policy supports residential development proposals which are situated only within or adjacent to the defined settlement boundary.

SPG – Design and Placemaking

SPG – Delivering Design and Placemaking: Access, Circulation and Parking Requirements

National Guidance

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

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

It is not considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also inconsistent with the Well-being of Future Generations (Wales) Act's sustainable development principles as set out below.

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

1. Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
2. Policy 3 – Supporting Urban Growth – Council and /Placemaking/developers/regeneration/sustainable communities'/exemplar developments.

Other national policy guidance considered:

PPW Technical Advice Note 5 – Nature Conservation and Planning

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 18 – Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the erection of a new, detached dwelling outside the settlement boundaries identified in the Rhondda Cynon Taf Local Development Plan (LDP). Policy AW1 and AW2 of the LDP have a strong presumption against development of this kind outside defined settlement boundaries except in instances where the development could be considered to be necessary in the interests of agriculture, forestry, or rural enterprise.

The proposed site is considered an unsustainable location for new residential development as it is not within any defined settlement boundary, it has no accessibility other than by car, it would not benefit from any sustainable transport options, it has no access to key services and facilities and it would not form part of a larger defined settlement.

The following is a list of some types of development that would be permissible within the countryside:

- justified rural enterprise needs;
- limited extension, alteration or replacement of existing dwellings; or
- small scale diversification within farm complexes where this is run as part of the farm business.

The proposal constitutes none of the above.

Planning Policy Wales only permits new residential dwellings within the countryside where it has been clearly demonstrated that there is no previously developed land or

underutilised sites that could, instead, accommodate the proposal. The site would not be located within or adjoining any defined settlement and whilst only a single dwelling, would constitute an incremental erosion of the character of the area, which in time would result in its overall detriment. There are other means by which a proposal could mitigate its harm upon a rural area; however, no relevant justification for the proposal has been received.

It is acknowledged that planning permission was approved for a similar dwelling at the adjacent plot in 2013 (13/0269/10), which is also situated outside of settlement limits. However, that application was also recommended for refusal by officers for the same reasons set out above, but the decision overturned by Members at Committee who considered the house would not represent unjustified development in the countryside.

The subsequent approval for a dwelling at the adjacent plot in 2017 also details that the site is outside of the settlement boundary, but that application simply proposed the approved dwelling be re-located within the site, not a further dwelling, and the previous 2013 consent was still live at the time.

Finally, the recent application (21/1208/10) to which this application constitutes a re-submission was refused on the basis that the site lies outside of and detached from the settlement boundary, being in an unsustainable location. There is no change in circumstance at the site since the previous refusal or between that application and this current application; and no further justification has been submitted.

Taking into account the above, the principle of the development is considered to be contrary to Planning Policy Wales and the relevant Local Development Plan policies. The proposal would constitute an unjustified form of development within an unsustainable location.

Impact on character and appearance of the area

With regards to the impact upon the character and appearance of the area, the site is well screened from the adjacent highway, Heol Llechau, by the existing detached dwelling, Cartref Melys, and it is therefore not considered that the dwelling itself would have a significant impact upon the character and appearance of the immediate area. It is accepted the dwelling would be visible from cross valley viewpoints, but it is not considered it would have any further impact than adjacent property.

Impact on residential amenity and privacy

Given the position and proximity of the nearest residential dwellings to the site, there is not likely to be an impact upon the residential amenities of adjacent occupiers in terms of loss of privacy, shadowing, or being overbearing.

It is also noted that no letters of objection have been received from nearby properties.

Impact on highway safety

The Council's Transportation Section were consulted in order to provide comments on the suitability of the application in respect of highway safety. No objection has been raised subject to conditions relating to surfacing of the private access road, surface water run-off, the use of the garage, HGV deliveries, traffic management, and wheel washing.

Other Issues

The following other considerations have been taken into account with regard to this application, though were not key determining factors in reaching the recommendation:

Public Health

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

Drainage

The Council's Flood Risk Management Section do not object and state 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. No objection has been raised by Dŵr Cymru/Welsh Water.

Ecology

The Council's Ecologist has concluded that ecology issues associated with the site are likely to be minor given that it has already been cleared. However, if Members are minded to approve the application, it is recommended that a condition be appended in respect of submission of suitable mitigation/enhancement measures in line with PPW 11.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application site is located outside of the defined, fixed, settlement boundary within an unsustainable location. Consequently, the proposed development fails to comply with the key sustainable development objectives of Policies CS1, AW1, AW2 and NSA12 of the Rhondda Cynon Taff Local Development Plan.

RECOMMENDATION: Refuse

1. The site lies outside the settlement boundary identified in the Rhondda Cynon Taf Local Development Plan (LDP) in an unsustainable location. New residential development is not supported in such a location and no suitable justification has been submitted to negate this.

The proposal therefore is contrary to Policies AW1 and AW2 of the Rhondda Cynon Taf Local Development Plan.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2022-2023:

**PLANNING AND
DEVELOPMENT COMMITTEE
18th AUGUST 2022**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

	Agenda Item No.
APPLICATION NO: 22/0263/10 – Proposed Conversion of the basement to a self-contained studio flat at 2 Scranton Villas, High Street, Cymmer, Porth, CF39 9EU	

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

3. BACKGROUND

This application was originally reported to the 21st July 2022 meeting of the Planning and Development Committee with an officer recommendation of approval. A copy of the original report is attached as **APPENDIX A**. At that meeting Members were minded to refuse the application contrary to the officer recommendation as they considered the proposed unit would result in poor quality and unacceptable living accommodation for future occupiers (Minute No. 23 refers).

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

4. PLANNING ASSESSMENT

The officer considerations in respect of the standard of living accommodation proposed are set out in the original Committee report, however, a brief summary is set out below:

It is acknowledged that the proposal would see the conversion of a basement into a self-contained flat with access gained from the rear which is discouraged by the Council's Supplementary Planning Guidance (SPG) for the Development of Flats – Conversions and New Builds; and a previous application for the same was refused by the Council in 2021 due to the

standard of living accommodation proposed and potential impact upon highway safety. However, during a subsequent appeal the Welsh Government Inspector considered that the standard of living accommodation proposed and highway safety issues were acceptable, and only dismissed the appeal on outlook from the flat.

As such, to overcome the previous refusal reasons and subsequent appeal decision this application includes 2no. new window openings and a new access door with the original proposal only benefiting from the windows to the side elevation of the property. It is considered that this would increase the levels of light experienced by future occupiers and provide views to the south into the amenity space.

In light of these changes it was, on balance, considered that the additional window openings, specifically the full length opening to the rear which faces the amenity space would result in a level of outlook which is now considered acceptable.

Nevertheless, as set out in the original Committee report, concerns remain with regard to the standard of accommodation, i.e. the basement location of the flat and access from the rear. Furthermore, the impact of the amendments proposed on the standard of accommodation is subjective and the original considerations were an 'on balance' recommendation highlighting that the proposal is not fully compliant with the SPG.

In addition, during the earlier Committee meeting Members discussed concerns in relation to highway safety. The Council's Transportation Section did not object to the application although they consider the access serving the development to be substandard. This is because during the previous appeal the Inspector concluded that the lane is adequate to serve the proposal.

Members are advised however that the proposal would result in an increase in the use of a substandard access and would result in a shortfall of 1no. parking space. As such, concerns are still expressed in this regard. This highlights that it would be entirely reasonable to conclude that the development would also result in a detrimental impact upon highway safety in the locality, contrary to Policy AW5 of the LDP.

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

REASON: The proposed residential use, in the form of an additional self-contained flat within the basement of an existing terraced property, would place significant pressure on the plot, representing an over intensive use and overdevelopment of the site, and in trying to accommodate as many units/bedrooms as possible within such a small building, would result in the creation of cramped and poor quality living accommodation for future occupiers. As such the

proposal is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's adopted and Development of Flats Supplementary Planning Guidance.

PLANNING & DEVELOPMENT COMMITTEE

21 JULY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0263/10 (JE)
APPLICANT: Evanza Property Solutions Ltd
DEVELOPMENT: Conversion of the basement to a self-contained studio flat
LOCATION: 2 SCRANTON VILLAS, HIGH STREET, CYMMER, PORTH, CF39 9EU
DATE REGISTERED: 02/03/2022
ELECTORAL DIVISION: Cymmer

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

REASONS: The proposal is in keeping with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the proposed residential use would be compatible with the surrounding land uses and would not result in an adverse impact upon either the character of the site, the amenity of neighbouring occupiers or highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Gareth Capel for the matter to come to Committee so that members can consider the impact of the development upon Highway Safety within the vicinity of the site.

APPLICATION DETAILS

Full planning permission is sought for the conversion of a basement to a self-contained studio flat at 2 Scranton Villas, High Street, Cymmer, Porth. Proposed internal alterations involve the creation of the following layout: Studio living/bedroom, bathroom and kitchen. Access to the flat would be via a new doorway in the rear elevation of the property. The proposal would also see the creation of 2no. new window openings serving the flat.

The proposal would also include an area of amenity space located within the rear amenity space of the wider property.

The application is a resubmission following the Council's refusal of an earlier outline application for a similar development at the site on 03/07/2020. The

previous application 20/1343/10 was refused because it was considered that the proposal would result poor quality living accommodated and also unsafe vehicle movements in the vicinity of the site, to the detriment of highway safety. As subsequent appeal was also dismissed, but only due to the poor outlook from the unit.

SITE APPRAISAL

The application site relates to a traditional two-storey, mid-link property which is located in a predominantly residential area of Cymmer, Porth. The property is set back from the highway at High Street by a small enclosed garden. To the rear of the property is an enclosed amenity space bounded on both sides by neighbouring properties and an access lane to the rear. The rear amenity space currently provides off street parking for the property. The property currently operates as a HMO with living accommodation arranged over three floors (including the roof space) with a total of two bedrooms and three studios.

PLANNING HISTORY

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

06/2348/13: LAND TO REAR OF 119-130 HIGH STREET, CYMMER, PORTH
Proposed residential development, off new access road and new road junction.
Decision: 19/02/2007, Withdrawn by Applicant

11/0026/13: LAND TO THE REAR OF 119-130 HIGH STREET, CYMMER, PORTH CF39 9EU
Residential development consisting of 12 dwellings (Outline)
Decision: 16/11/2011, Withdrawn by Applicant

16/1292/10: 2 SCRANTON VILLAS, HIGH STREET, CYMMER, PORTH, CF39 9EU
Change of use from dwelling to a House in Multiple Occupation (C4) to include 2 bedrooms and 3 studios (Amended Plans and Amended Description received 06/03/17).
Decision: 27/06/2017, Grant

20/1343/10: 2 SCRANTON VILLAS, HIGH STREET, CYMMER, PORTH, CF39 9EU
Conversion of basement to a self contained studio flat.
Decision: 25/01/2021, Refuse
Appeal: APP/L6940/A/21/3276768 – Dismissed on 24/08/21

PUBLICITY

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site. No letters of objection have been received.

CONSULTATION

Transportation Section: No objection raised.

Public Health and Protection: No objection although conditions suggested in relation to hours of construction, noise, dust and waste.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and a replacement is in the process of being produced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

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

Policy CS1– promotes the re-use of under used and previously developed buildings the Northern Strategy Area.

Policy AW1 – sets out the criteria for new housing developments.

Policy AW2 – promotes development in sustainable locations.

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

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

Policy AW10 - states that development will not be permitted where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of issues including noise and air pollution.

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

Supplementary Planning Guidance:

- Delivering Design & Placemaking: Access, Circulation and Parking
- Development of Flats

National Guidance

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application seeks full planning permission for the retention and completion of the conversion of the lower ground floor of this mid-terrace property to a self-contained flat. The application site is situated within the settlement boundary and within a residential locality.

The Council's Supplementary Planning Guidance (SPG) for the Development of Flats – Conversions and New Builds advises that flats are unlikely to be acceptable where they are located solely in basements, or where habitable

rooms would only have roof light windows. It also requires flats to have easy and safe access for all users and advises that access through rear lanes and entrances around the backs of buildings should be avoided wherever possible. It also advises that the Council will resist proposals that would create poor quality living accommodation and schemes should be refused for the above mentioned reasons.

In the case of this application, the application building is currently occupied as a HMO at the ground and upper floors and it is proposed to convert a disused basement into an additional self-contained studio flat. Unlike the existing use which is accessed via High Street to the front, access to the proposed flat would be from the rear of the building.

The existing situation is that the basement is sited partly below ground level and the main source of light derives from 4 no. windows openings on the side and rear elevations of the property. Members should note that to overcome the previous refusal reasons and subsequent appeal decision this application includes 2no. new window openings and a new access door with the original proposal only benefiting from the windows to the side elevation of the property. As such, the main habitable room of the flat would now benefit from additional external windows located to the side and rear elevations. This would increase the levels of light experienced by future occupiers and provide views to the south into the amenity space.

Whilst some concerns remain with regard to the standard of accommodation, i.e. the basement location of the flat and access from the rear, when considering the previous appeal decision at the site in which the Inspector considered that the standard of accommodation proposed was acceptable and only dismissed the appeal on outlook from the flat, Members are advised that, on balance, the additional window openings, specifically the full length opening to the rear which faces the amenity space result in a level of outlook which is now considered acceptable.

Further, the site location is within the defined settlement boundary; is accessible by a range of sustainable transport options including bus, foot and bicycle; has good access to key services and facilities within the Key Settlement of Porth. This site can therefore be considered a sustainable location for residential purposes in accordance with Policy AW2.

As such, it is considered that the principle of development is generally acceptable.

Highway Safety

The Council's Transportation Section were notified during the consultation period in order to provide comments on the suitability of the application in respect of highway safety. Their comments are as follows:

The existing property achieves primary access from the front off High Street with secondary access for off-street parking from the rear lane. The submitted proposed site plan indicates that primary access to the proposed standalone

studio flat within the basement is achieved via the rear lane. There is concern with regards the sub-standard rear lane which is lacking continuous segregated pedestrian footway connectivity and carriageway width at its junction with High Street to facilitate satisfactory 2-way flow, vision splays and junction radii. The lane currently provides access to off-street parking for numerous dwellings as well as several residential dwellings.

The proposed additional use of the lane would exacerbate existing highway safety concerns to the further detriment of highway safety and the free flow of traffic. However, the proposed access is considered acceptable taking into account the recent appeal decision whereby the Inspector concluded that: -

“The narrower parts of the lane are relatively short and reversing movements would not therefore be lengthy. The forward visibility on the lane and ability to pull into the adjacent parking area means that it would be unlikely for vehicles to have to reverse out onto High Street. The lane is lightly trafficked, and no evidence of any accidents was provided. Whilst visibility at the junction is constrained, I was able to see approaching traffic and safely turn right on to High Street during my site visit. The proposal for a single studio flat would not significantly add to traffic flow on the lane and there are several turning spaces available along its length. The Council’s concern that the adopted lane ends a short distance from the access to the property is not significant as the lane is adequate to serve the proposal”.

The proposed development would result in an increased parking requirement of 1 space over the existing, which cannot be provided and raises cause for concern. However, the proposed parking is considered acceptable taking into account the recent appeal decision whereby the Inspector concluded that: -

“The proposal would have a parking requirement of 1 space, which cannot be provided. Planning Policy Wales advises that car parking standards are to be considered as maxima. The appellant points out that HMOs have lower car ownership rates and that there is a frequent bus service to Porth with stops nearby. There are also informal car parking areas available on the rear lane. There are parking restrictions on High Street to prevent indiscriminate parking on the main road. In all these circumstances, the lack of a single parking space would not be fatal to the proposal”.

In light of the above assessment and recent appeal decision where-by the Inspector dismissed the highway safety concerns, on-balance no highway objection is raised or condition suggested.

Impact on the character and appearance of the area

Other than the creation of a new access door and 2no. window openings the scheme does not propose any increase to the footprint of the building or any external works to the building or wider curtilage. Consequently, it is not considered that the proposed change of use would result in any undue impact upon the character and appearance of the property or the wider surrounding area. The application is therefore considered acceptable in this regard.

Impact on residential amenity and privacy

It is not considered the proposed use of the basement as a residential studio flat would result in any detrimental impact upon the existing amenity and privacy standards currently enjoyed by residents of the surrounding properties. Whilst it is accepted a degree of noise/disturbance would inevitably occur, any potential impact would be typical of such a residential use and typical of the residential area. Further, with the windows serving the proposed flat at ground floor level, they would not result in any overlooking of the neighbouring properties.

As such, the application is considered acceptable in this regard.

Public Health and Protection

No objections have been received from the Council's Public Health and Protection Division following consultation. They did however suggest a number of conditions be attached to any consent in relation 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.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for charge under the CIL Regulations 2010 as amended. However, the application 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 proposal is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the proposed residential use would be compatible with the surrounding land uses and would not result in an adverse impact upon either the character of the site, the amenity of neighbouring occupiers or highway safety.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan no Drg AE/LGF01A and documents received by the Local Planning Authority on 02/03/2022, 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.

tudalen wag

PLANNING & DEVELOPMENT COMMITTEE

18 AUGUST 2022

INFORMATION FOR MEMBERS, PERTAINING TO ACTION TAKEN

UNDER DELEGATED POWERS

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

1. PURPOSE OF THE REPORT

To inform Members of the following, for the period 25/07/2022 – 05/08/2022

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

18 AUGUST 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

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

OFFICER TO CONTACT

**Mr. J. Bailey
(Tel: 01443 281132)**

See Relevant Application File

No new appeals received

No appeal decisions received

tudalen wag

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

Report for Development Control Planning Committee

25/07/2022 and 05/08/2022

Aberdare West/Llwydcoed

22/0535/10

Decision Date: 29/07/2022

Proposal: Proposed dormer loft conversion and raising of ridge height of main roof (amended plans received 21/06/2022).

Location: 6 MAPLE DRIVE, CWMDARE, ABERDARE, CF44 8HE

Abercynon

21/1408/10

Decision Date: 25/07/2022

Proposal: 2 no. semi-detached dwellings (Additional information - Drainage Investigation - Rec. 25/11/21) (Soakaway/Percolation tests rec. 17/05/22)

Location: Y DERW, INCLINE TOP, ABERCYNON, MOUNTAIN ASH, CF45 4EW

Treorchy

22/0119/10

Decision Date: 01/08/2022

Proposal: New detached dwelling and garage. (Amended Plan received 18/06/22)

Location: LAND FORMALLY USED AS YNYSWEN METHODIST CHURCH, YNYSWEN ROAD, YNYS-WEN, TREHERBERT

Penygraig

22/0424/10

Decision Date: 05/08/2022

Proposal: New detached dwelling with basement garage to replace current approved dwelling (15/0530/15) including access, landscaping and services (Amended Plans received 20/05/2022)(Footway details received 28/06/22)

Location: LAND ADJACENT TO 1 GRAIG-YR-EOS TERRACE, PEN-Y-GRAIG, TONYPANDY

Aberaman

22/0753/10

Decision Date: 02/08/2022

Proposal: Two storey rear extension with alterations.

Location: 10 GRAIG CRESCENT, ABERCWMBOI, ABERDARE, CF44 6AE

Abercynon

22/0624/10

Decision Date: 29/07/2022

Proposal: Construction of one detached residential dwelling.

Location: SITE OF THE FORMER YNYSBOETH PUBLIC HOUSE, ABERCYNON ROAD, ABERCYNON, MOUNTAIN ASH, CF45 4BX

Report for Development Control Planning Committee

Aberdare East

22/0419/10 Decision Date: 03/08/2022
Proposal: Outbuilding - timber framed (Retrospective).

Location: LULWORTH, BRYNAWEL, ABERDARE, CF44 7PF

22/0611/09 Decision Date: 26/07/2022
Proposal: Lawful Development Certificate for an Existing Use - C3 Residential dwelling with no occupancy condition

Location: NANT GWYN FARM, WERFA LANE, ABER-NANT, ABERDARE, CF44 0YS

22/0641/01 Decision Date: 26/07/2022
Proposal: Installation of one projecting sign.

Location: WETHERSPOON YR IEUAN AP IAGO PUBLIC HOUSE, HIGH STREET, ABERDARE, CF44 7AA

Aberdare West and Llwydcoed

22/0718/10 Decision Date: 28/07/2022
Proposal: Proposed installation of an ATM within the shop front (retrospective).

Location: LLWYDCOED SERVICES CENTRE, UNIT 5 FAMILY SHOPPER, LLWYDCOED ROAD, LLWYDCOED, ABERDAR

22/0719/01 Decision Date: 28/07/2022
Proposal: Advertisement consent for ATM signage (retrospective)

Location: LLWYDCOED SERVICES CENTRE, UNIT 5 FAMILY SHOPPER, LLWYDCOED ROAD, LLWYDCOED, ABERDAR

Brynna and Llanharan

22/0554/15 Decision Date: 01/08/2022
Proposal: Variation of condition 2 of 19/0531/10 - Storage unit to be relocated in a different position on the site.

Location: CAE BACH, FELINDRE ROAD, LLANHARAN, BRIDGEND, CF35 5BF

Church Village

22/0623/10 Decision Date: 01/08/2022
Proposal: Creation of an exit/entry point at the rear of the property (West) using the parish council community car park access road.

Location: BROOK HOUSE, MAIN ROAD, CHURCH VILLAGE, PONTYPRIDD, CF38 1PY

Report for Development Control Planning Committee

Cwmbach

22/0805/10 Decision Date: 05/08/2022

Proposal: Carport to side of house

Location: 10 CAE ALAW GOCH, CWM-BACH, ABERDARE, CF44 0DR

Ferndale and Maerdy

22/0225/10 Decision Date: 01/08/2022

Proposal: Change of use from library (D1) to a shop and cafe (mixed A1/A3 use).

Location: FERNDALE LIBRARY, 72 HIGH STREET, FERNDALE, CF43 4RR

22/0567/10 Decision Date: 29/07/2022

Proposal: Single storey extension and renovations to Ferndale Fire station.

Location: SOUTH WALES FIRE AND RESCUE FERNDALE STATION, CROSS LAKE STREET, FERNDALE, CF43 4HR

Gilfach-goch

22/0542/10 Decision Date: 04/08/2022

Proposal: Proposed detached dwelling.

Location: LAND BETWEEN 117 -119 HIGH STREET, GILFACH-GOCH, PORTH, CF39 8SW

Hawthorn and Lower Rhydfelen

22/0784/09 Decision Date: 28/07/2022

Proposal: Single storey rear extension with projection to side, garden store

Location: 92 ALEXON WAY, HAWTHORN, PONTYPRIDD, CF37 5BN

Hirwaun, Penderyn and Rhigos

22/0720/10 Decision Date: 27/07/2022

Proposal: Retrospective application for the installation of an ATM installed through a secure panel to shop front.

Location: TRAMWAY STORES, 62A TRAMWAY, HIRWAUN, ABERDARE, CF44 9PA

22/0745/01 Decision Date: 27/07/2022

Proposal: Advertisement consent for ATM signage (retrospective)

Location: TRAMWAY STORES, 62A TRAMWAY, HIRWAUN, ABERDARE, CF44 9PA

Llanharry

22/0732/10

Decision Date: 05/08/2022

Proposal: Single storey extension to rear and at first floor above garage, alteration of garage door and conversion of garage area to storage

Location: 16 BRYN CELYN, LLANHARRY, PONTYCLUN, CF72 9ZE

Llantwit Fardre

22/0709/10

Decision Date: 02/08/2022

Proposal: Single storey rear extension and rear dormer

Location: 58 TUDOR WAY, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NH

22/0715/10

Decision Date: 04/08/2022

Proposal: Single storey rear extension.

Location: 35 HEOL DOWLAIS, EFAIL ISAF, PONTYPRIDD, CF38 1BB

Mountain Ash

22/0701/10

Decision Date: 02/08/2022

Proposal: Single storey rear extension

Location: 29 CLIFF STREET, MOUNTAIN ASH, CF45 3LE

Pentre

22/0696/10

Decision Date: 01/08/2022

Proposal: First floor extension, full property renovation.

Location: 13 TON ROW, TONPENTRE, PENTRE, CF41 7AN

22/0712/10

Decision Date: 03/08/2022

Proposal: Drop kerb and vehicular crossover on footway to private drive.

Location: 28 MAINDY CRESCENT, TONPENTRE, PENTRE, CF41 7ES

Pontyclun Central

22/0692/10

Decision Date: 29/07/2022

Proposal: Side and rear extensions.

Location: 7 BEECHLEA CLOSE, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8PT

Report for Development Control Planning Committee

Pontyclun West

22/0683/01

Decision Date: 03/08/2022

Proposal:

Fixed page LED signage board to side elevation of building.

Location:

INDIAAH RESTAURANT, 34 COWBRIDGE ROAD, PONT-Y-CLUN, PONTYCLUN, CF72 9EE

Pontypridd Town

22/0707/10

Decision Date: 04/08/2022

Proposal:

Single storey front extension.

Location:

11 LANWOOD ROAD, GRAIG-WEN, PONTYPRIDD, CF37 2EP

Taff's Well

22/0713/10

Decision Date: 26/07/2022

Proposal:

Ground floor extension.

Location:

8 HEOL-Y-GORS, NANTGARW, TAFF'S WELL, CARDIFF, CF15 7UH

Tonyrefail East

22/0616/10

Decision Date: 01/08/2022

Proposal:

Dropped kerb to front of property and retrospective driveway.

Location:

46 TYLCHAWEN TERRACE, TONYREFAIL, PORTH, CF39 8AH

Trallwng

22/0742/01

Decision Date: 27/07/2022

Proposal:

Retention of 1 no. retro-frame non-illuminated sign.

Location:

UNIT 3B PC WORLD, BROWN LENNOX RETAIL PARK, YNYSANGHARAD ROAD, PONTYPRIDD, CF37 4DA

Treorchy

22/0629/10

Decision Date: 01/08/2022

Proposal:

Rear first floor extension

Location:

15 PARK ROAD, CWM-PARC, TREORCHY, CF42 6LF

Pontyclun

21/1701/10

Decision Date: 29/07/2022

Proposal:

Proposed three bedroom detached dwelling with garage.(Amended Redline Boundary and Plans submitted 15/05/22)

Location:

RAILWAY TERRACE, TALBOT GREEN, CF72 8HP

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
Development Control : Delegated Decisions (Permissions) between:
Report for Development Control Planning Committee

25/07/2022 and 05/08/2022

Total Number of Delegated decisions is 34

Treherbert

22/0684/10

Decision Date: 25/07/2022

Proposal: Rear balcony structure

Location: 11 MARY STREET, TREHERBERT, TREORCHY, CF42 5AE

Reason: 1 By virtue of its scale, design and elevated height, the proposed balcony would have a detrimental impact upon the character and appearance of the rear of the host dwelling and wider area, resulting in an obtrusive and overbearing addition which would appear incongruous within its setting. The proposal is therefore contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the relevant guidance set out in SPG 'A Design Guide for Householder Development (2011)' in respect of its visual appearance.

Reason: 2 The proposed balcony, by virtue of its elevated height, prominent location and relationship with adjacent properties, would result in an overbearing impact to and direct overlooking of the neighbouring properties, adversely affecting the privacy and amenity standards currently enjoyed by occupiers. The proposal is therefore unneighbourly and excessive and contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the relevant guidance set out in SPG 'A Design Guide for Householder Development (2011)' in respect of neighbour amenity.

Total Number of Delegated decisions is 1

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