



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: UnedBusnesGweithredolaRheoleiddiol@rctcbc.gov.uk

Bydd cyfarfod hybrid o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal ar **DYDD IAU, 8FED MEHEFIN, 2023** 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, 6 MEHEFIN 2023, GAN NODI A FYDDWCH CHI'N SIARAD YN GYMRAEG NEU'N SAESNEG.

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

AGENDA

Tudalennau

1. DATGAN BUDDIANT

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

Nodwch:

1. Mae gofyn i Aelodau ddatgan rhif a phwnc yr agendwm mae eu buddiant yn ymwneud ag ef a mynegi natur y buddiant personol hwnnw; a
2. Lle bo Aelodau'n ymneilltuo o'r cyfarfod o ganlyniad i ddatgelu buddiant sy'n rhagfarnu, **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 06.04.23 A 20.04.23

Cadarnhau cofnodion o gyfarfod y Pwyllgor Materion Cynllunio a Datblygu a gynhaliwyd ar 6 Ebrill a 20 Ebrill 2023 yn rhai cywir.

7 - 14

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

5. CAIS RHIF 22/0650

Manylion am gynllun, graddfa ac ymddangosiad yr adeiladau, ffordd fynediad a'r dirwedd 18/0923/13 (Cynllun Safle Diwygiedig) **TIR ODDI AR Y B4275, ABERDÂR**

15 - 30

6. CAIS RHIF: 22/1006

Ailddatblygu hen safle'r Clwb Ceidwadol er mwyn darparu 10 fflat, manau parcio a'r gwaith cysylltiedig. **SAFLE'R HEN GLWB CEIDWADOL, HEOL BERW, TONYPANDY.**

31 - 50

7. CAIS RHIF: 22/1037

Annedd arfaethedig a'r ffordd fynediad gysylltiedig **TIR CYFERBYN Â BRYN HYFRYD, TREHAFOD, PONTYPRIDD.**

51 - 68

8. CAIS RHIF: 23/0151

Newid dosbarth defnydd o annedd (Dosbarth Defnydd C3) i gartref i blant (Dosbarth Defnydd C2). **TŶ RHYD-YR-HELYG, YR HEOL FAWR, GWAELOD-Y-GARTH, FFYNNON TAF, CAERDYDD, CF15 9HJ.**

69 - 86

9. CAIS RHIF: 23/0250

Cadw ac atgyweirio'r adeilad, gan gynnwys adnewyddu'r Awditoriwm, ailfodelu'r cyntedd yn y fynedfa, y bar a'r mezzanine, gosod lifftiau newydd, toiledau, ystafelloedd gwisgo, man newid, storfa ar gyfer biniau a gwelliannau cysylltiedig i'r adeilad **PRIF ADEILADAU'R CYNGOR, HEOL GELLIWASTAD, PONTYPRIDD, CF37 2DP.**

87 - 102

10. CAIS RHIF: 23/0251

Cadw ac atgyweirio'r adeilad, gan gynnwys adnewyddu'r Awditoriwm, ailfodelu'r cyntedd yn y fynedfa, y bar a'r mezzanine, gosod lifftiau newydd, toiledau, ystafelloedd gwisgo, man newid, storfa ar gyfer biniau a gwelliannau cysylltiedig i'r adeilad (Caniatâd Adeilad Rhestredig) **PRIF ADEILADAU'R CYNGOR, HEOL GELLIWASTAD, PONTYPRIDD, CF37 2DP.**

103 - 112

11. CAIS RHIF: 23/0335

Garej arfaethedig y tu cefn i'r adeilad **237 HEOL BRITHWEUNYDD, TREALAW, TONYPANDY, CF40 2PB.**

113 - 118

12. CAIS RHIF: 23/0337

Garej arfaethedig y tu cefn i'r adeilad **236 HEOL BRITHWEUNYDD, TREALAW, TONYPANDY, CF40 2PB.**

119 - 124

13. CAIS RHIF: 23/0357

Amrywio amod 2 (cynlluniau wedi'u cymeradwyo- newid y math o dŷ a chynllun y safle); ac amod 3 (archwiliadau safle / strategaeth adfer - dileu'r elfen cyn dechrau ar y gwaith) ar gyfer caniatâd cynllunio 19/0387/10. **HEN YSGOL GYNRADD CWM-BACH, HEOL Y BONT, CWM-BACH, ABERDÂR, CF44 0LS**

125 - 140

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

14. CAIS RHIF: 22/0273

Newid defnydd o dafarn dy i 4 annedd (Derbyniwyd y Nodyn Trafnidiaeth ar 4 Gorffennaf 2022, derbyniwyd y Strategaeth ar gyfer Draenio Dŵr Budr ar 2 Chwefror 2023) **TAFARN THE BARN, HEOL MEISGYN, MWYNDY, PONT-Y-CLUN, CF72 8PJ.**

15. CAIS RHIF: 23/0044

Cais ôl-weithredol i gadw'r grisiau a'r deciau canol (Ailgyflwyno cais 22/0783/10) **3 PLEASANT HEIGHTS, PORTH, CF39 0LZ.**

16. CAIS RHIF: 23/0216

Datblygu 6 tŷ teras. (Derbyniwyd ffurflen Ardoll Seilwaith Cymunedol ar 13 Mawrth 2023, derbyniwyd y cynllun llawr ar 24 Mawrth 2023) **Y TIR CYFERBYN Â 138 STRYD Y DYFFRYN, GLYNRHEDYNOG, CF43 4EH.**

ARCHWILIAD O'R SAFLE**17. CAIS RHIF: 23/0004**

Newid defnydd i ddatblygiad defnydd cymysg sy'n cynnwys annedd breswyl (Dosbarth C3) a chyfleuster gofal plant (Dosbarth D1) **5 CILGANT Y GOEDWIG, ABERCYNON, ABERPENNAR, CF45 4UT.**

ADRODDIAD ER GWYBODAETH**18. 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 10/04/2023 – 26/05/2023.

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.

19. MATERION BRYD

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

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democraidd a Chyfathrebu**Cylchrediad: -****Aelodau o'r Pwyllgor Cynllunio a Datblygu:**

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

Y Cynghorydd J Bonetto, Y Cynghorydd A Dennis, Y Cynghorydd S Emanuel,
Y Cynghorydd D Grehan, Y Cynghorydd G Hughes, Y Cynghorydd M Powell,
Y Cynghorydd J Smith, Y Cynghorydd L A Tomkinson ac Y Cynghorydd R Williams.

Pennaeth Cynllunio
Pennaeth y Gwasanaethau Cyfreithiol
Pennaeth Datblygu Mawr a Buddsoddi
Uwch Beiriannydd

tudalen wag



PWYLLGOR CABINET CYNGOR RHONDDA CYNON TAF PWYLLGOR CYNLLUNIO A DATBLYGU

Cofnodion o gyfarfod hybrid y Pwyllgor Cynllunio a Datblygu a gynhaliwyd
Dydd Iau, 6 Ebrill 2023 am 3.00 pm

Cafodd y cyfarfod yma ei ddarlledu'n fyw, ac mae modd gweld y manylion [yma](#)

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

Y Cyngorydd S Rees (Cadeirydd)
Y Cyngorydd W Lewis Y Cyngorydd L A Tomkinson

Roedd y Aelodau Pwyllgor Cynllunio a Datblygu canlynol yn bresennol ar-lein: -

Y Cyngorydd D Grehan Y Cyngorydd G Hopkins
Y Cyngorydd J Smith Y Cyngorydd J Bonetto
Y Cyngorydd R Williams

Swyddogion oedd yn bresennol: -

Mr S Humphreys, Pennaeth y Gwasanaethau Cyfreithiol
Mr C Jones, Pennaeth Datblygu Mawr a Buddsoddi
Mr M Farley, Uwch Gynllunydd

Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol: -

Y Cyngorydd A Morgan OBE

Ymddiheuriadu am absenoldeb

Y Cyngorydd G Hughes Y Cyngorydd C Middle
Y Cyngorydd M Powell

238 DATGAN BUDDIANT

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

239 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.

240 DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015

PENDERFYNWYD nodi bod Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 yn gosod dyletswydd ar gyrrff 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.

241 COFNODION 09.03.23

PENDERFYNWYD cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 9 Mawrth 2023 yn rhai cywir.

242 NEWID I DREFN YR AGENDA

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

243 CAIS RHIF: 23/0004

Newid defnydd i ddatblygiad defnydd cymysg sy'n cynnwys annedd breswyl (Dosbarth C3) a chyfleuster gofal plant (Dosbarth D1) 5 CILGANT Y GOEDWIG, ABERCYNON, ABERPENNAR, CF45 4UT.

Yn dilyn trafodaeth gan y Pwyllgor, **PENDERFYNWYD** gohirio'r cais er mwyn i'r Pwyllgor Cynllunio a Datblygu gynnal Ymweliad Safle. Bwriad hyn yw ystyried yr effaith bosibl y byddai'r datblygiad arfaethedig yn ei chael ar amwynder y safle a chyfleusterau parcio.

244 CAIS RHIF: 21/0046

Newid defnydd o wasanaeth cynulliad a hamdden Dosbarth D2 i annedd Dosbarth C3 (derbyniwyd Aseiad Canlyniadau Llifogydd ar 09/05/22). NEUADD GOFFA TREHAFOD, 44-45 HEOL TREHAFOD, TREHAFOD, PONTYPRIDD, CF37 2LR.

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor David Howell (Asiant). Cafodd bum munud i gyflwyno'r cais uchod i'r Aelodau.

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

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

245 CAIS RHIF: 22/1446

Caniatâd hysbyseb ar gyfer gosod ffasgiau, finyl ffenestr, fframiau poster a phaneli ACM (derbyniwyd cynlluniau diwygiedig ar 07/03/2023). TAFARN Y MOUNTAIN ASH INN, 24 STRYD Y FASNACH, ABERPENNAR, CF45 3PS.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol Andrew Morgan OBE, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei bryderon ynglŷn â'r datblygiad arfaethedig.

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi'r cais i'r Pwyllgor. Yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais yn rhannol, yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, ac eithrio'r ddau arwydd wedi'u goleuo i flaen yr eiddo ac ar ochr yr eiddo. Roedd y Pwyllgor o'r farn y byddai'r ddau arwydd wedi'u goleuo yn cael effaith andwyol ar ddiogelwch y briffordd.

246 CAIS RHIF: 23/0073

Datblygu 3 tŷ preswyl newydd o fewn cwrtil yr eiddo o'r enw Copper Beech (tŷ presennol i'w gadw) (Derbyniwyd Disgrifiad Diwygiedig a Chynlluniau Diwygiedig ar 20/02/23) COPPER BEECH, HEOL LLWYDCOED, LLWYDCOED, ABERDÂR, CF44 0TN.

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

247 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 13/03/2023 tan 24/03/2023.

Daeth y cyfarfod i ben am 3.38 pm

**Y Cynghorydd S Rees
Cadeirydd.**

tudalen wag



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

Cofnodion o gyfarfod hybrid y Pwyllgor Cynllunio a Datblygu a gynhaliwyd
Dydd Iau, 20 Ebrill 2023 am 3.00 pm

Cafodd y cyfarfod yma ei ddarlledu'n fyw, ac mae modd gweld y manylion [yma](#)

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

Y Cyngorydd S Rees (Cadeirydd)
Y Cyngorydd W Lewis Y Cyngorydd G Hughes
Y Cyngorydd L A Tomkinson

Roedd y Aelodau Pwyllgor Cynllunio a Datblygu canlynol yn bresennol ar-lein:-

Y Cyngorydd J Bonetto Y Cyngorydd D Grehan
Y Cyngorydd G Hopkins Y Cyngorydd C Middle
Y Cyngorydd R Williams

Swyddogion oedd yn bresennol: -

Mr S Humphreys, Pennaeth y Gwasanaethau Cyfreithiol
Mr C Jones, Pennaeth Datblygu Mawr a Buddsoddi
Mr M Farley, Uwch Gynllunydd

Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol: -

Y Cyngorydd K Morgan Y Cyngorydd A O Rogers

Ymddiheuriadu am absenoldeb

Y Cyngorydd M Powell Y Cyngorydd J Smith

248 DATGAN BUDDIANT

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

249 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.

250 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.

251 COFNODION 23.03.23

PENDERFYNWYD cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 23 Mawrth 2023 yn rhai cywir.

252 NEWID I DREFN YR AGENDA

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

253 CAIS RHIF: 21/1491

Datblygiad preswyl o (35 o unedau) (cynlluniau diwygiedig wedi dod i law 23/05/22) (tystysgrif berchnogaeth ddiwygiedig a gwybodaeth marchnata ychwanegol wedi dod i law 24/05/22), TIR GYFERBYN AG YSTAD DDIWYDIANNOL BRYNGELLI, LÔN Y DDÔL, HIRWAUN, CF44 9PT.

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

Siaradodd yr Aelodau Lleol, Cynghorwyr y fwrdeistref sirol K Morgan ac A Rogers, nad ydyn nhw'n aelodau o'r Pwyllgor, am y cais gan fynegi eu pryderon ynglŷn â'r datblygiad arfaethedig.

Cyfeiriodd Pennaeth Datblygu Mawr a Buddsoddi at lythyr 'hwyr' a ddaeth i law oddi wrth Evans Banks Planning yn cefnogi'r cais.

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi'r cais. Yn wreiddiol, cafodd ei adrodd i'r Pwyllgor ar 1 Rhagfyr 2022, pan aeth Aelodau ati i ohirio dod i benderfyniad arno er mwyn cael asesiad sŵn manylach (Cofnod 148).

Rhododd yr aelodau ystyriaeth i'r adroddiad pellach, ac yn dilyn trafodaethau, **PENDERFYNWYD** caniatáu'r cais yn unol ag argymhelliad y Cyfarwyddwr, Ffyniant a Datblygu. Roedd hyn yn ddarostyngedig i gytundeb adran 106 i sicrhau bod y tai fforddiadwy yn cael eu sefydlu a'u cynnal yn unedau fforddiadwy, er mwyn parhau i fodloni anghenion tai lleol a nodwyd. Roedd hefyd yn amodol ar ddiwygio amodau 3, 4, 5 a 6 i gyfyngu ar ddatblygu unrhyw waith uwchben y ddaear, aralleirio amod 9 i'w ddarllen yn unol â fel sydd wedi'i nodi isod, a diwygio amod 10 i ychwanegu 'a'i gadw am byth' at ddiwedd yr amod.

9. Rhaid i'r holl ffenestri yng ngwedd flaen ddwyreiniol y tai sydd agosaf at yr unedau diwydiannol ar Stad Ddiwydiannol Bryngelli, a ddangosir yn ffigwr 2 o'r adroddiad asesiad sŵn, fod o ddim llai na 32dB Rw + Ctr, ac awyryddion o ddim llai na 38dB Dnew + Ctr.

Rheswm: Er budd amwynder preswyl i drigolion y dyfodol ac i sicrhau bod y datblygiad yn cyrraedd lefelau sŵn mewnol yn unol â BS8233:2014, yn unol â Pholisi AW5 ac AW10 Cynllun Datblygu Lleol Rhondda Cynon Taf.

(Nodyn: Roedd Cyngorydd y fwrdeistref sirol C Middle wedi ymatal rhag pleidleisio ar yr eitem hon, ar ôl ymuno â'r cyfarfod yn hwyr ac felly doedd e ddim yn bresennol ar gyfer y ddatlawn).

254 CAIS RHIF: 22/1412

Cais cynllunio llawn i ddymchwel adeiladau presennol; datblygiad cartref gofal arfaethedig i gefnogi oedolion ag anableddau dysgu (13 o ystafelloedd gwely en-suite ac 1 ystafell wely seibiant), gwaith tirlunio, draenio cynaliadwy, mynediad, lleoedd parcio a gwaith cysylltiedig. (Disgrifiad diwygiedig wedi dod i law 09/03/23) CARTREF GOFAL BRONLLWYN, HEOL COLWYN, GELLI, PENTRE, CF41 7NW.

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi'r cais. Yn wreiddiol, cafodd ei adrodd i'r Pwyllgor ar 9 Mawrth 2023, pan aeth yr Aelodau ati i ohirio penderfyniad ar y cais er mwyn galluogi ei ddiwygio ac ail-gynnal ymgynghoriad cyhoeddus (gweler Cofnod 223).

Cywirowd y Pennaeth Datblygu Mawr a Buddsoddi ddisgrifiad y cais, a oedd wedi'i nodi'n anghywir yn yr adroddiad, i'w ddarllen yn unol â fel mae wedi'i nodi isod. Cadarnhaodd fod ymgynghoriad cyhoeddus wedi'i gynnal eto gan ddefnyddio'r disgrifiad cywir:

Cais cynllunio llawn i ddymchwel adeiladau presennol; datblygiad cartref gofal arfaethedig i gefnogi oedolion ag anableddau dysgu (13 o ystafelloedd gwely en-suite ac 1 ystafell wely seibiant), gwaith tirlunio, draenio cynaliadwy, mynediad, lleoedd parcio a gwaith cysylltiedig. (Disgrifiad diwygiedig wedi dod i law 09/03/23) CARTREF GOFAL BRONLLWYN, HEOL COLWYN, GELLI, PENTRE, CF41 7NW.

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

255 CAIS RHIF: 22/1465

Gosod a gweithredu cyfres o baneli PV solar 300kW ar dir ger Safle Tirlenwi Bryn Pica – gwaith trin elifion. Bydd y pŵer trydanol a gynhyrchir yn cael ei ddefnyddio'n bennaf yn ffynhonnell pŵer trydanol ar gyfer y Gwaith Trin Elifion ar y safle, AMGEN CYMRU CYF, SAFLE GWAREDU GWASTRAFF BRYN PICA, HEOL MERTHYR, LLWYDCOED, ABERDÂR, CF44 0BX.

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

256 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
27/03/2023 tan 07/04/2023.

Daeth y cyfarfod i ben am 3.50 pm

**Y Cyngorydd S Rees
Cadeirydd.**

PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0650/16 (GD)
APPLICANT: Mr M Rees
DEVELOPMENT: Reserved Matters application details of layout, scale and appearance of the buildings, access and landscaping (pursuant to Outline planning permission 18/0923/13)
LOCATION: LAND OFF B4275, ABERDARE
DATE REGISTERED: 27/05/2022
ELECTORAL DIVISION: Aberaman

RECOMMENDATION: Approve

REASONS: The principle of the proposed development has been established by the grant of outline planning permission under application 18/0923/13 the details submitted are compliant with the parameters set out in that permission and are otherwise acceptable in terms of planning policy and all other material considerations.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

This application seeks the approval of reserved matters in respect of the residential development of the site providing 22 houses three of which will meet the 10% affordable housing requirement set out in the Section 106 agreement associated with the outline planning permission. There are a series of house types propose across the site as follows: -

- House types A & B are the two storey social housing elements of the site comprising 2no. 1-bedroom flats and a 2-bedroom house.
- House type C is a 3 bedroom, two storey detached house.
- House Type D is a detached 4-bedroom two-storey house.
- House types E & F are semidetached 3 and 2 bedroom two storey houses.

All houses will be completed in combinations of reconstituted stone and white through colour render with grey tiles to the roofs with photovoltaic panels placed at appropriate locations.

Access to the site will be provided through improving the existing site access on the northern boundary of the site with a road to adoptable standards extending southwards into the site towards a private drive at its southern extent an access/maintenance road to the stream on the western boundary of the site.

The application is accompanied by the following.

- Landscape, biodiversity and amenity strategy
- Tree survey
- Tree report
- Geotechnical & Geo-environmental Assessment & Stability Report

SITE APPRAISAL

The application site comprises 1.29 hectares of relatively flat land that is lenticular in shape. A drainage channel runs along the western side of the site which is well wooded and provides the site with some ecological interest.

Access to the site is already present with a vehicular access already formed to the estate access road north of the site boundary. In turn, the estate link road provides access to the cross-valley link road that meets the B4275 and A4059.

The site sits between the recently built Davies Homes development, Farm Road and the industrial estate. The wider area is characterised by a mix of residential, industrial and recreational uses.

PLANNING HISTORY

18/0923	Residential development including landscaping, drainage, access improvements and other associated infrastructure	Approved 06/12/19
06/2448	Office, industrial and warehouse building (use classes B1 & B8) of 500 sq. m. (gross) floor space and associated parking	Approved 10/01/07

PUBLICITY

The application has been advertised by means of press notice site notices and neighbour notification letters and this has resulted in the submission of one objection claiming to represent the views of a number of residents, raising the following issues:

-

Procedural issues

- The amount of advertising to local resident is challenged and it is also claimed that notices that have been posted at too high a height to actually read.
- The date of the letter is questioned as it was dated 30th May and was not received until 6th June giving insufficient time for comment and the letter says that no one can comment after the 21 day period is over.
- Objectors believe that a new report should be prepared and made available for their consideration and would want to consider it under the basis of a Freedom of Information request should that prove necessary.

Planning matters

- It is claimed that the site would not be suitable for residential development due to contamination, coal risk status and flood risk.
- Residents have concerns that the initial outline application suggested up to 32 dwellings and this now proposes 22 and have been unable to view the plans.
- Previous proposals for the site have revealed that the risk and cost of developing the site has made the development of the site untenable or unsuitable
- The site has been used as grazing land for many years
- The site is home to a number of rare and protected species including owls, bats, foxes, field mice and frogs which also spawn at the site.
- The report recommends the use of a piled raft foundation due to the presence of colliery spoil fill which is expensive and given the potential for gas and ground water contaminants would make for a complicated build. It is questioned if the builder has the experience to undertake such a build to ensure the safety of workers and local residents
- Other developers have suggested that they would not take the site on due to the costs of dealing with contamination and the health and safety implications associated with it.
- 22 houses will introduce potentially up to 66 cars into the area which has the potential to impact the commercial uses that share the same access road. Thirty five businesses are based off the same access road and this has the potential to adversely impact those businesses and potentially could put off customers visiting those premises
- Have businesses been made aware of the proposed development?

- Has a traffic report been prepared for the road accessing the B4275 junction? Will the development require the provision of additional highway works such as the introduction of traffic lights?

Contamination

- The 2018 Earth Science Partnership (ESP) report identifies old ironwork and mining activity under the site along with contaminated water all of which is detrimental to human and animal health and which spilled on to the land during drilling operations.
- The report identifies the potential for the following contaminants to be present at the site, cadmium, lead, iron, copper, zinc, arsenic, beryllium, chromium, mercury, nickel, selenium, vanadium, cyanide, sulphate, sulphide, poly aromatic hydrocarbons, petroleum hydrocarbons, phenols and asbestos. These are all known to be hazardous to human health associated with former industrial activity at the site. Residents are concerned that they might be exposed to risk due to the presence of these contaminants.
- Similar concerns are expressed in terms hazardous ground gas and vapours and the associated risk of injury due to explosion or exposure and potential asphyxiation/poisoning risks.
- The report also encourages the use of gas wells and residents are seeking clarification as to whether these have been installed and whether they have some guarantees on the issue.
- Objectors question whether or not the recommendations of the ESP report have taken place.

CONSULTATION

Highways – No objections subject to conditions

Structural Engineer – the site investigation submitted to discharge conditions relating to ground stability and other information subsequently supplied is adequate.

Flood Risk Management – No objections subject to conditions

Public Health & Protection – raise no objection subject to all mitigation measures identified in the noise impact assessment undertaken by acoustic consultants Ltd Ref 9538/JA/PR being fully implemented prior to the occupation of any dwellings.

Countryside – the landscape masterplan is acceptable from an ecological perspective, as previously identified ecologically unacceptable features have been removed. Detailed planting plans will be required at the appropriate stage in the development process.

Waste Management – No objections

Natural Resources Wales – No objections to the proposed development as submitted.

Dwr Cymru Welsh Water – No objections subject to conditions

Western Power Distribution – raise no objections to the proposals and advise that if the developer requires a new connection or a service alteration it will require a separate application to WPD

Wales & West Utilities – raise no objection to the proposed development and provide information on safe practice to be adopted when working in proximity to their apparatus.

South Wales Fire & Rescue Service – advise the provision of a comprehensive fire strategy for the proposed development indicating a package of fire safety measures proposed to satisfy the Building Regulations and should address any variation to current guidelines. They also advise that the developer should consider the need for the provision of adequate water supplies on site for firefighting purposes and access for emergency firefighting appliances.

South Wales Police – Raise no objections and advise on compliance with secured by design standards.

Glamorgan Gwent Archaeological Trust – As archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of work and in this event please contact the trust.

The Coal Authority – No objections

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.

Policy CS1 – the policy places emphasis on building strong, sustainable communities in the northern strategy area.

Policy AW1- indicates the means by which housing land requirements will be met, including through the development of unallocated land located within settlement limits.

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

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

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

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

Policy NSA10 – requires that residential development proposals in the northern strategy area should achieve a net density of 30 dwellings per hectare.

Policy NSA11 – requires the provision of 10% affordable housing on sites of 10 units or more in the northern strategy area.

Policy NSA12 – supports residential development within settlement boundaries where the

Policy NSA26 – sets criteria for the consideration of development proposals within the Cynon Valley River Park.

Supplementary Planning Guidance

Design and Placemaking

Affordable Housing

Nature Conservation

Access Circulation and Parking

Employment Skills

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
- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.

SE Wales Policies

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

Other relevant 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 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23: Economic Development
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

As the current submission seeks consent for the approval of reserved matters, it is the acceptability or otherwise of the layout, scale and appearance of the buildings, access and landscaping that require principal consideration in reaching a decision on these proposals. Members will note that under consultation an objector has raised a number of issues relating to ground stability and contamination, these though will be addressed

through the associated discharge of condition applications and by advisory notes to this permission should it be granted. Notwithstanding, comment is also offered below in respect of the issues raised beginning with the issues raised by objectors referenced above.

Procedural issues

- The application has been advertised in accordance with statutory requirements by means of press notice, site notices and neighbour notification letters.
- Neighbour notification letters were dated 30th May 2022 and site notices posted on 6th June 2022. The Council cannot be held responsible for the time that the post office takes to deliver mail. That said, whilst responses are encouraged within the 21 day notice period specified in correspondence in practice and in this case the Council has continued to accept objections up until the time of the preparation of this report.
- The objector is not clear which report is being referred to however, this report is published and available for the public to view as a public document and all reports prepared by the applicant in support of this application for the approval of reserved matters are available to view by the public on the Council's website.

Planning matters

- Whether or not in principle the site was suitable for residential development because of contamination or underlying ground conditions was dealt with at the outline planning application stage. The reserved matters application cannot therefore revisit the issue. The reduction in house numbers and associated reduction in density is a result of constraints specific to the site.
- The viability in financial terms of developing this site in the context expressed by the objector is speculative and ultimately a matter for the developer.
- Whilst it is not disputed that the site has been used for grazing for a number of years, the fact of the matter is that it also benefits from outline planning permission that establishes that it is acceptable in principle to develop the site for housing.
- The ecological value of the site has been fully evaluated and appropriate mitigation will be provided as part of the ongoing development.
- Regardless of the complications that the development might involve because of ground conditions, the ability of the developer to deliver any approved development is not a planning consideration.
- Similarly, whether or not other developers choose to take the site on is a matter for the market/developer and is not a planning consideration.
- The impact of 22 houses on the highway network and any potential impact on existing businesses that share the access road are separate matters; advice on the suitability of the site in highway terms is addressed below. Claims that it might affect existing businesses are not backed up with any evidence or even an indication of how this might happen.

- The current proposals have been advertised in accordance with statutory requirements.
- The original outline planning permission was supported with a Transport Statement that was deemed acceptable.

Contamination

- The objector makes a series of points about contamination at the site referencing a 2018 report prepared by Earth Science Partnership (ESP). The same report also makes a series of recommendations and was the subject of consultation with Public Health & Protection who at the time of the outline planning permission, in commenting on the application, did not recommend any further work. As such, the applicants in applying for the approval of reserved matters have the right to rely on the findings and recommendations of that report in respect of the contamination issue. Issues identified subsequently have been brought to the attention of the developer and the developer has been advised to act on that advice.
- Members should also note that since the grant of outline planning permission further monitoring of gas wells has taken place.
- Objectors question whether the recommendations of the ESP report have taken place. Members are advised that responsibility for the implementation of the recommendations of the report rest with the developer and would take place through the development process rather than as a precursor to any development taking place on site.

Principle of the proposed development

The principle of the site being suitable for residential development has been established in the grant of outline planning permission 18/0923/13 in December 2019. Though national planning policy has been updated since that time with the issue of Planning Policy Wales 11 and the publication of Future Wales 2040, there is nothing in either document that would undermine the principle of residential development at this site.

Impact on the character and appearance of the area

The site itself is undeveloped grazing land with a strong wooded boundary on its western side adjacent to a drainage ditch and mature trees beyond its northern boundary, adjacent to the industrial estate road. The site is a small field within an otherwise largely developed area and it has not altered in any substantive way since the grant of outline planning permission. Most of these key features will be retained within the development.

The wider area is characterised by mix of traditional and modern residential development to the west on Farm Road, with a low-lying field immediately to the south and the Davies Homes redevelopment of Aberaman house beyond that. To the north

lies the industrial estate and to the east the cross-valley link road and then further industrial development. The proposed development would be set around a cul de sac entering the site from the north and would provide a mix of detached and semi detached houses, and flats. In this, it would be typical of much of the more modern residential development that has already taken place in the area and would sit comfortably within the wider milieu. In such a context, there would be a shift from an undeveloped site to a housing development that will alter both the character and appearance of the area with an obvious urbanising impact. This given the location is a neutral impact and the proposals will deliver some positive impacts particularly along the western boundary of the site.

Impact on residential amenity and privacy

The original outline planning permission allowed for the provision of over thirty dwellings on the development site and this number has been reduced to twenty-two that significantly reduces the density of development over the site. This change is justified due to the constraints that the site faces in terms of ground conditions, flood risk and the need to respect the importance of the site boundary with the stream for ecological reasons. The nearest houses to the proposed development are two relatively new houses accessed from the northern end of Farm Road which are 29 - 30 meters from any of the proposed dwellings with an element of deflection and for the most part the stream and its lining of trees in-between. Other residential properties are a greater distance away from those now proposed. As such, the impacts on privacy are considered acceptable.

Where amenity is concerned, certain properties that previously had an outlook over the open site would now face the rear of the proposed properties, however in most cases this impact is reduced by the necessary improvements to the stream corridor along the western boundary of the site. There is also a need to consider the amenity of future residents of the proposed houses where they back on to the cross-valley Link Road. In this respect, Public Health & Protection have confirmed that the noise attenuation measures are acceptable.

Access and highway safety

Access

The proposed is accessed off Aberaman Park Industrial Estate via an existing access point serving the site. The access as proposed is satisfactory for safe vehicular movement.

Visibility

In accordance with TAN 18, the required visibility splay from the proposed onto the existing access road is 2.4m x 40m. The achievable visibility from the access is in excess of the requirement and is therefore acceptable.

Internal Layout TP-01 REV C

The internal layout provides for 5.5m carriageway with 2.0m segregated footway facilities satisfactory turning facilities for access / egress in forward gear which is acceptable.

Full engineering design and detail will be required of the proposed internal layout to be offered for adoption is required and conditioned accordingly.

Design and detail of the proposed rain gardens and vehicular containment such as full height kerbs will be required which can be conditioned accordingly.

Bin storage area shall be provided at the access to the private shared access as close to the adopted highway as possible. .

Pedestrian access

There are safe segregated footway facilities leading to the wider highway network which are acceptable.

Easement

A 6.0m easement shall be provided for the existing highway carrier drain for future maintenance in the interests of highway safety.

Car Parking

The proposed site layout indicates the following car parking requirement: -

No of Bedrooms	Required	Proposed
2 x 1 bed	2	2
6 x 2 bed	12	12
8 x 3bed	24	24
9 x 4 bed	27	27

Highway Conclusion

The horizontal layout is acceptable.

6.0m drainage easement shall be provided 3.0m on the development side for the existing highway drainage maintenance.

Bin storage area shall be provided at the access to the private shared access as close to the adoptable highway as possible.

The applicant has submitted detail on application 22/0655/38 to discharge condition 15 Engineering Design & Detail which is not acceptable.

Condition 18 Construction Method Statement application 22/1199/38 has been discharged in part.

The bus stops fronting the B4275 have already been upgraded.

Other Issues:

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

Drainage

Whilst Flood Risk Management have requested conditions be applied in this instance there is no need. Drainage conditions were attached to the original outline planning permission (no's 11 & 12) and these remain to be discharged.

Ecology

Members should note that matters relating to the ecology of the site are dealt with by other applications seeking the discharge of conditions pursuant to the original outline planning permission. The Council's ecologist has confirmed that the updated landscaping plan is considered acceptable and should be followed up with a detailed planting plan prior to first occupation of any dwelling.

Conditions of the Outline Planning Permission

Members will note from the above text that a number of consultees are advocating the application of conditions. This is not necessary in a number of cases as the matters referred to are addressed elsewhere in one form or another. Highways have asked that condition 15 be carried forward; however, this will be dealt with under the requirements of discharge of conditions application 22/0655 which is ongoing. . Public Health and protection have confirmed under discharge of conditions application 22/0491 that the detail submitted to require noise attenuation are acceptable and that full compliance will only be achieved when the agreed details are fully implemented

National Sustainable Placemaking Outcomes

Chapter 2 of PPW 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 to ensure this is the case.

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, a brief outline of how the proposed development is considered to align particularly well with the national sustainable placemaking outcomes is set out below:

- **Creating and Sustaining Communities:** The development would provide new housing built to acceptable standards in an area that policy supports.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs and employment at the new development through the course of construction works with a local developer providing local jobs.
- **Making Best Use of Resources:** The development accords with the aim to prioritise the use of previously developed land (though admittedly it has been reclaimed by nature) and sustainable building practices/materials to current standards.
- **Maximising Environmental Protection and Limiting Environmental Impact:** The development would include suitable tree/landscape planting and biodiversity enhancement measures as per the recommendations of the Council's ecologist.
- **Facilitating Accessible and Healthy Environments:** The application site is in a highly sustainable location, located on the valley floor, with many transport links and services/facilities located within walking distance.

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 CIL liable under the CIL Regulations 2010 (as amended). However as the site lies within residential charging zone 1 the charge is nil

Section 106 Contributions / Planning Obligations

The site is subject of a section 106 agreement agreed at the outline planning application stage and will secure

- Affordable housing at the required rate
- Employment skills training plan

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of key design considerations and is compliant with the requirements of Local Development Plan Policies AW5 and AW6 insofar as they relate to the approval of reserved matters. Access to the site along with the car parking proposed is considered acceptably by the Highway Authority. The design of the proposed houses is typical of more recent housing development in the area and would read as an addition to what already exists. The impact of the proposals on established residential property will alter their outlook in some cases, but in planning terms are considered acceptable

RECOMMENDATION: Approve

1. The consent hereby granted relates to the following plans

- Site Layout drawing no. TP-01 Rev A
- External Works Layout drawing NO. EW-01 Rev B
- House Finishes drawing no. HF-01 Rev A
- House Type A & B drawing no. 2155/TAB/01
- House Type A & B drawing no. 2155/TAB/02
- House Type C drawing no. 2115/TC/01
- House Type C drawing no. 2155/TC/02
- House Type D drawing no. 2155/TD/01
- House Type D drawing no. 2115/TD/02
- House Type E & F drawing no. 2155/TEF/01
- House Type E & F drawing no. 2115/TEF/02

Reason: For the avoidance of doubt as to the approved plans.

2. Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made with/to manhole reference number SO02000807 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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.

3. Notwithstanding the landscaping details hereby approved further details of planting in terms of timing and species to be planted shall be submitted to and approved by the Local Planning Authority prior to the completion of the 10th house on the site. The agreed planting details shall be fully implemented in the first planting season following the completion of the final house on the 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.

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PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/1006/10 (GH)
APPLICANT: Mitchell Property Solutions Ltd
DEVELOPMENT: Redevelopment of the former Conservative Club site to provide 10 flats, car parking and associated works.
LOCATION: **SITE OF FORMER CONSERVATIVE CLUB, BERW ROAD, TONYPANDY**
DATE REGISTERED: 13/03/2023
ELECTORAL DIVISION: Tonypandy

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

REASONS: The application property has been in a derelict condition since the removal of the buildings which once occupied the site. Its redevelopment, to provide a range of affordable flats in a sustainable location, would accord with local and national planning policy which seeks to prioritise the use of brownfield sites.

Furthermore, the attractive design of the proposed development would greatly enhance the street scene and since its scale would be comparable to the former Club buildings and appropriate to the local context, it would be acceptable in terms of neighbour amenity.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning consent is sought for the residential redevelopment of the former Conservative Club site at Berw Road, Tonypandy.

It is proposed to construct a single building containing ten affordable flats for a social housing provider. Eight of the flats would be one-bedroom and the other two flats would contain two bedrooms each.

The irregular footprint of the building has been designed to be split level, to account for the site topography and would therefore have two storeys at its western end and three storeys at its eastern section. All flats would have pedestrian access onto Berw Road, three with their own entrance and the remaining seven via a communal entrance and staircase.

The external areas have been arranged to include a communal garden, small SuDs attenuation basin, a cycle store and bin store. Provision has been made for three off-street parking spaces off Zion Terrace. The remaining areas around the site would be soft landscaped.

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

- Ecological Impact Assessment
- Ground Investigation Report
- Transport Statement
- Planning Statement

Furthermore, as a result of concerns raised by the Council's Flood Risk Management section during the consultation period the Applicant commissioned and subsequently submitted a Flood Consequences Assessment.

At the same time, revised elevation and site layout drawings were received to accommodate minor changes to levels for the purposes of satisfying flood issues. A small retaining wall around the proposed parking spaces has also been introduced.

SITE APPRAISAL

The application property is a vacant parcel of land location at the junction of Berw Road and Zion Terrace, towards the centre of Tonypandy.

Comprising a surface area of approximately 0.084 hectares, the property once accommodated the Tonypandy Conservative Club, although it is understood that this was demolished in 2003 and the site has been vacant and overgrown ever since.

Given its proximity to the town retail centre, the property is very close to a range of land uses, including the Council's offices immediately to the east, Mitchell Court to the south, Tonypandy Bus Station, and a variety of other retail and residential properties.

PLANNING HISTORY

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

11/5722/32: 3 Storey apartment building to include 12 modest sized flats with associated ground works, parking and landscaping. Decision: 06/10/2011, Raise Objections.

PUBLICITY

The application was initially advertised by direct notification to fifty-five neighbouring properties and notices were displayed on site.

On receipt of the revised details outlined in the description of development section a second consultation, also comprising direct notification and site notices, was carried out.

Five letters of objection from neighbouring residents were received, raising the following issues:

Highways/Access

- There is limited parking in our street as it stands, unless we park on the pavement, and limited access for emergency services as it's single width.
- The proposed three spaces to park on site are inadequate and the access to them would restrict on-street parking further.
- The junction to the street is blocked by people parking and Zion Terrace cannot cope with further traffic.

Amenity

- The occupiers of the flats will be able to see into my property in Mitchell Court and my view will be impacted.
- My property would be severely overlooked (De Winton Terrace) and there is little privacy from the current flats.
- Noise, dust and disruption during construction would be intolerable.
- I am concerned about noise and the fact we have flats opposite already where the police attend weekly. Who is being housed here?
- Our light is going to be affected too, high rise doesn't belong pushed at the end of our street, with windows looking onto us.

Ecology

- The development will kill off the wildlife that has been thriving in the space.

Other matters

- There is already a block of flats close by which cause issues and police are there quite often...so sticking more flats for social housing here is going to cause more trouble.
- Crime and drug usage is already a problem in the area.
- It would be nice to see something else built on the land, couldn't it be a row of bungalows with off-street parking?

CONSULTATION

Highways and Transportation

No objection subject to conditions relating to engineering details, vision splays, access and parking, and a construction method statement.

Flood Risk Management

The Flood Consequences Assessment and Surface Water Drainage Strategy provided by the Applicant have been reviewed, which demonstrate a thorough review of the site's surface water flood risk and acceptable justification for developing in a surface water flood risk area.

However, the Applicant must also provide sufficient evidence to demonstrate a satisfactory betterment in surface water discharge from the site. A drainage strategy with associated calculations demonstrating the pre and post-development surface water discharge rates from the site should provide the LLFA with sufficient evidence and a condition is recommended in this regard.

Public Health and Protection

No objection, subject to the imposition of standard contaminated land conditions, with the exception of the desk study element.

Natural Resources Wales

The report has not evidenced that bats are present at the application site. NRW notes from the EIA Report that an endoscope check found two crevices within the retaining wall to have potential to be used by individual roosting bats. Furthermore, the Report includes a recommendation for further investigation of the two crevices prior to any works on the retaining wall. NRW supports this recommendation and advises that a suitably worded condition responding to the recommendation should be imposed on any permission that the LPA is minded to grant.

Dwr Cymru Welsh Water

There is no objection in principle to the foul flows discharging to the public sewer and DCWW notes that surface water is set to be drained via a sustainable drainage system

(infiltration basin). Capacity is available in the water supply system to accommodate the development and the proposed development is crossed by a trunk/distribution watermain.

National Grid

A new connection or service alteration will require a separate application to the National Grid.

South Wales Fire and Rescue Service

The Fire Authority has no objection to the proposed development. The Developer should also consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances. Should the Developer require further information in relation to these matters they should contact the Fire Safety Officer.

Countryside Section – Ecologist

No objection subject to a condition to secure the recommendations of the revised Ecological Impact Assessment, together with a range of bat and bird nesting boxes/bricks.

The Coal Authority

The application site does not fall within the defined Development High Risk Area and there is no requirement for a Coal Mining Risk Assessment to be submitted.

South Wales Police

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

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 Tonypandy

Policy CS1 - Development in the North: seeks to build strong, sustainable communities. This will be achieved through promoting residential development in locations which reinforce the roles of the Principal Towns and Key Settlements, including the re-use of previously developed sites.

Policy AW1 - sets out how the housing requirement figure will be met during the plan period. This includes but is not limited to the development of unallocated land in the settlement boundary and through the provision of affordable housing.

Policy AW2 - seeks to ensure that development is in sustainable locations. The policy sets out criteria which defines these locations, these include but are not limited to the following:

- Are within the defined settlement boundary.
- Would not unacceptably conflict with surrounding uses.
- Have good accessibility by a range of transport options.
- Have good access to key services and facilities.
- Support the roles and functions of the Principal towns, Key Settlements and Smaller Settlements.

Policy AW4 - notes that planning obligations may be sought to make development proposals acceptable in land use terms.

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 would 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. Additionally, proposals must be designed to protect and enhance landscape and biodiversity.

Policy AW8 - seeks to preserve and enhance the County Borough's natural environment and heritage. This includes SINC designations. Development proposals will only be permitted where they would not cause harm to the features of the SINC subject to criteria.

Policy AW10 - aims to prevent 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.

Policy AW11 - supports alternative uses for existing employment/retail sites if the property has been marketed without success, or derelict premises will have regeneration benefits.

Policy NSA2 – supports proposals for residential development within the Key Settlement of Tonypany which: 1) support and reinforce the role of the centre as a Key Settlement; 2) are of a high standard of design; 3) promote the beneficial re-use of vacant floor space; and 4) support the provision of local services.

Policy NSA10 - Housing density: permits proposals where the net residential density is a minimum of 30 dwellings per hectare.

Policy NSA11 - The provision of 10% affordable housing will be sought on sites of 10 units or more.

Policy NSA12 - supports housing development within the settlement boundary which is accessible to local services by a range of sustainable transport modes without adversely affecting the highway network or provision of car parking in the surrounding area.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking Requirements
- Affordable Housing
- Planning Obligations
- Nature Conservation
- 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), 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 18: Transport;

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the construction of a building containing 10 affordable flats on the site of the former Conservative Club, Berw Road, Tonypany.

At this location the proposed development would align well with the following LDP policies:

Policy CS1 aims to achieve strong, sustainable communities in the Northern Strategy Area and identifies support for residential developments that promote the re-use of vacant land, where development can be evidenced to support the roles of Key Settlements and which result in high quality affordable accommodation.

Policy NSA2 identifies Tonypandy as a Key Settlement and aims to permit residential proposals, such as this one, which can support the process of regeneration and make use vacant sites in sustainable locations. Policy AW1 also recognises that the supply of new housing required over the Plan period will be met, in part, by residential development on unallocated land within the settlement boundary.

The location of the new flats, being within the settlement boundary and in close proximity to the town centre and public transport, indicates that the site would be a sustainable location in accordance with the relevant criteria of Policy AW2, and compatible with the surrounding residential land uses at Mitchell Court and Zion Terrace. At 119 dwellings per hectare, the development would exceed the requirements of Policy NSA10.

Lastly, Policy NSA12 permits residential development in the Northern Strategy Area that is within or adjacent to the defined settlement boundary. The Policy stipulates criteria which include a requirement for safe access to the highway network, access to local services by means other than private motor car and no adverse effect on the provision of car parking.

Notwithstanding any concerns in relation to off-street parking, which are considered alongside specific highways matters within the body of the report further below, the principle of the proposed residential conversion of the former Club site would comply with the relevant overarching LDP policies.

Impact on the character and appearance of the area

The form, siting and layout of the development seeks to mirror that of the former Club, which occupied the site until approximately 20 years ago, and comprised staggered sections of two storey development linked with a three storey section of greater mass – the latter arranged with its gable facing towards Berw Road.

Judging by an illustration of the older property, which accompanied an article in the Rhondda Leader to celebrate its opening in 1905, its replacement will not replicate the ornate nature of its architecture and would instead be of a more contemporary appearance.

However, there would be some visual interest of account of the choice of external finishes, which appear to include a combination of face brickwork and render above a plinth, with quoins to the three storey element and the use of cills and heads to openings.

External boundary treatments have also been specified with brick or stone walls topped with railings, which will ensure the site is visually permeable, but secure. An enclosed bin store is proposed at a convenient collection point on Zion Terrace.

The proposed development is therefore considered to be acceptable in terms of its design, scale and layout, and would therefore benefit the appearance of the site and street scene.

Impact on residential amenity

Existing residents

The closest neighbouring residents to the development site are located at Zion Terrace, Mitchell Court and De Winton Terrace, and representations have been received from each, regarding the potential for overlooking and changes to outlook.

Taking each in order, the dwellings at Zion Terrace are set on higher ground than the application site and both the level of the street and floor levels of these houses increase further to the south, where their front elevations face towards Mitchell Court.

The first three houses in Zion Terrace face south-easterly, so although the development would be visible at an angle from front windows, the closest part of the new building would be the gable end of the two storey element.

That gable end would be set at a lower ground level than Zion Terrace and the topographical survey, which identifies datum levels, indicates that there would be nearly a 2m difference in height between the site and no.14 Zion Terrace, and a gap of around 17m. The three storey part of the flats would also be approximately 30m further away from the front of no.14 Zion Terrace.

Regarding the physical relationship between Mitchell Court and the new flats, the two buildings would be at an angle to each other. Whilst the distance between the parts of each building where windows would face each other is around 10m at its closest point, it would only be three bedroom windows in the new development that would be of concern.

In respect of the other windows in the opposing elevations of each building, there would be a gap of between 19m and 27m, which would be considered sufficient.

Consequently, taking into account the skewed relationship and the low number of relevant windows in the new flats, it is considered the potential for reciprocal views between the new flats and Mitchell Court is not significant.

The first property in De Winton Terrace is located on the opposite side of Berw Road to the application site. This property is set above the level of Berw Road and it can be estimated from the topographical survey that its ground floor level is around 2m higher than that of the nearest two storey part of the proposed development.

The minimum distance between the corner of no.1 De Winton Terrace would be around 17m. In addition, the distance between no.1 and the three storey part of the

development would be around 25m, albeit that the three storey section is at a lower ground level again. The height difference between the new flats and the ground floor level of no.1, taken together with the solid timber fence surrounding no.1's garden, suggests that any overlooking would be minimal.

Therefore, with regard to the potential for intrusive views or harm to outlook; it is considered that the skewed position of the new flats, their relative ground levels and the height and position of windows, compared with the aforementioned existing neighbouring properties, would not create a harmful relationship that in planning terms would merit a recommendation of refusal.

Future residents

Members will be familiar with the principles of the Council's SPG for the Development of Flats, which seeks to ensure a high quality of accommodation, that, for example benefits from natural light and ventilation, has access to outside space, is easily accessible and secure.

Since the development is proposed to be operated by a RSL, the Welsh Development Quality Standards stipulate minimum requirements, including internal floor space specifications, which are often above those of market developments and must be achieved to benefit from Social Housing Grant.

In this case the proposed flats would accord with the SPG, benefitting from a landscaped communal outdoor space, a cycle store and level ground floor primary accesses. It is also noted that habitable rooms would be naturally lit and some would be of more than one aspect.

Therefore, in respect of the amenity and privacy of future and existing residents, the application is considered acceptable.

Access and highway safety

Access

Primary Access is from Berw Road which has a carriageway width of 7.3m together with continuous footway links and double yellow lines on both sides of the carriageway preventing on-street car parking. Berw Road is acceptable as a primary means of access to the site.

There are three off-street car parking spaces proposed off Zion Terrace, in close proximity to the junction of Berw Road which raises cause for concern. However, taking into account the narrow width of the carriageway at 4.5m and slow speeds, the location of the off-street car parking is, on balance, acceptable.

It is noted that for the provision of off-street car parking at this location the existing BT column would need to be relocated along with the existing BT cover, to withstand vehicular loading. An informative note is therefore recommended. In addition, a vehicular crossover will be required for which a condition is recommended.

Also, regarding access, the front site boundary will need to be set back to maintain a 2.4m x 40m vision splay from Zion Terrace out onto Berw Road, in the interests of highway safety, for which another condition is proposed.

SPG Access, Circulation & Parking Requirements

The proposed development of 8 x 1 bed flats and 2 x 2 bed flats requires a maximum of 12 off-street spaces for residents and 2 visitor spaces, with only 3 provided. This leaves a shortfall in the maximum standards of 9 spaces for residents and 2 visitor spaces.

There are public car parks within the vicinity of the site which could be used for short term visitor car parking. The public car park is free but closed after 7:00pm Monday-Saturday and all day on Sunday.

Nonetheless, The Council's SPG for the Development of Flats states:

"The development of flats in sustainable locations has a range of potential benefits, providing residents with the opportunity to live close to existing services and facilities and access to a range of transport options. Such development will be supported where residents would have access to a wide range of services, including public transport, and where development would contribute to the continued viability of existing services.

Residents of flats are less likely to own cars than other household types, and special consideration should be given to ensuring that flats are not built in locations where such residents would be isolated. In addition, the creation of flats in locations where residents do not require a car is likely to contribute to the creation of more sustainable patterns of movement".

On this basis, given the highly sustainable location of the site, no objection is raised to the proposed parking provision.

Cycle Parking

The submitted plans illustrate that 10 secure cycle stands are proposed which will go some way to mitigate the impact of the proposal and promote sustainable modes of transport.

Summary

Neighbour objections have highlighted a concern regarding the limited off-street parking provision which, compared with the maximum parking standards outlined within the Council's SPG, represents a shortfall.

However, the most recent and relevant Welsh census data demonstrates that residential flats generate a lesser car parking demand than other dwelling types. 52% of flat / maisonette / mobile home households did not have a vehicle. Conversely, 81% of houses, which includes bungalows, had 1 or more vehicles per household.

The same census data also revealed that vehicle ownership levels are lower for social housing, with 53% of households, both flats and houses, not having a vehicle, whereas for privately-owned properties 87% of households had 1 or more vehicles.

Furthermore, the site is both close to Tonypany retail area and various public transport links, having bus and rail stops within walking distance. Consequently, this development will place less reliance on the private motor vehicle as the primary mode of transport and therefore, on balance, the proposal is considered acceptable in highway safety terms.

Other matters

In respect of the other issues raised by objectors and not directly addressed within the foregoing, it is appreciated that existing residents may be concerned by any current crime levels and by the perceived threat of further antisocial behaviour.

However, the site would be run and controlled by a Registered Social Landlord, which would have the ability to deal with tenant issues appropriately. In addition, the proposal falls within use class C3 and no weight can be attributed to the tenure of the flats.

Whilst it is appreciated that residents may rather see a different form of development on the site, the Local Planning Authority can only determine the application that it is presented with.

Finally, a concern has been raised about the impact on ecology. The application has been subject to consultation with both NRW and the Council's Ecologist and their responses recorded above. As noted, neither has objected to the development and a condition has been recommended to capture their requirements.

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 town centre location and would contribute to the overall housing requirement within the Northern Strategy Area.
- **Facilitating Accessible and Healthy Environments:** The application site is in a very sustainable location, being close to pedestrian links, bus station and railway station. In addition, local shops and key services are located within easy walking distance.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs and being so close to the town centre would create footfall in the nearby retail centre, without reliance on the motor car.
- **Maximising Environmental Protection:** The development would require biodiversity mitigation and enhancement measures in accordance with PPW 11, which are proposed to be sought, for protected species, by a condition.

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, and the scheme is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended.

However, the site is located within CIL Zone 1 where a £nil charge would be applicable and therefore no CIL would be payable.

Section 106 Contributions / Planning Obligations

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

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

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

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

The Section 106 requirements in this case

In this case the proposed development would provide 100% affordable housing, as defined by PPW TAN 2, for social rent.

Therefore, a S106 agreement will be required to ensure that the dwellings are established and maintained as affordable units, for the continued purpose of meeting identified local housing needs.

Conclusion

It is considered the proposed flats would be compliant with the relevant LDP Policies and would provide much-needed affordable homes in a sustainable location.

The redevelopment of the derelict site, which would accord with the placemaking aims of PPW11, would also result in an improvement to the public realm, would be appropriate in terms of neighbouring land uses and the amenity of existing residents and would not be harmful to highway safety.

Therefore, subject to the range of conditions set out below, the development is recommended for approval.

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

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

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

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

- 2188-002 Rev G
- 2188-003
- 2188-004 Rev B
- Site Location Plan

and details and documents received on 18th August 2022 and 13th March 2023, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

4. No development shall commence on site until a scheme of biodiversity mitigation and enhancement measures, together with site landscaping, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall provide for:

- i) Details of how the recommendations of Section 5 of the revised Ecological Impact Assessment (Wildwood Ecology, dated 24/08/2022) will be carried out, together with a timescale for their implementation. In particular, these details shall include how further investigation of the two crevices within the retaining wall will be undertaken, prior to any works on the retaining wall.
- ii) The provision of a range of bat and bird nesting boxes/bricks, to include provision for swifts, to be installed prior to beneficial occupation of the development.
- iii) Details of site landscaping, including hard and soft surfaces and planting schedules.

The development shall be carried out in accordance with the approved details prior to beneficial occupation.

Reason: In the interests of visual amenity, biodiversity, European Protected Species and the natural environment in accordance with PPW11 and Policies AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

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

- i) How the development is to comply with the requirements of Section 8.3 of PPW Technical Advice Note 15.
- ii) A strategy to take into account the local surface water flood risk and ensure the development is resilient to surface water flooding.

The development shall be carried out in accordance with the approved details prior to beneficial occupation.

Reason: To ensure that surface water runoff from the proposed development does not cause or exacerbate the flood risk on the development site or elsewhere and does not increase the number of residents at risk of surface water flooding.

6. No development shall commence on site until scheme to deal with contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person and shall assess any contamination on the site, whether or not it originates on the site.

The scheme shall include:

- (i) An intrusive site investigation to assess the extent, scale and nature of contamination which may be present, and its implications, in accordance with the submitted Ground Investigation Report (Spectrum Geo Services, dated August 2022).
- (ii) A written method statement for the remediation of contamination affecting the site and justification for the preferred remedial option(s).

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

7. No development shall commence on site until details of a vehicular footway crossing have been submitted to and approved in writing by the Local

Planning Authority. The approved details shall be implemented on site prior to beneficial occupation.

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

8. No development shall commence until engineering details of the site frontage facing Berw Road have been submitted to and approved in writing by the Local Planning Authority. The frontage shall be set back to maintain a 2.4m x 40m vision splay from the adjacent junction with Zion Terrace. The approved details shall be implemented on site prior to beneficial occupation.

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

9. 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. Prior to beneficial occupation:

- i) The measures approved in the contamination scheme (referred to in Condition 6) shall be implemented.
- ii) A suitable validation report of the proposed scheme shall be submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by 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.

11. Prior to beneficial occupation, details of an external site lighting scheme shall first be submitted to and approved in writing by the Local Planning Authority, and then implemented on site in accordance with the approved details.

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

12. Prior to beneficial occupation the means of access, together with the car parking facilities and cycle stands, shall be laid out in accordance with the submitted site plan 2188 - 002 Rev F. The parking spaces shall be surfaced in permanent material and retained thereafter for the parking of vehicles.

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

13. 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.

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

14. Any topsoil (natural or manufactured), or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with the approved scheme.

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

tudalen wag

PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/1037/13 (EL)
APPLICANT: Mr N Williams
DEVELOPMENT: Proposed dwelling and associated access
LOCATION: LAND ADJ TO MOUNT PLEASANT, TREHAFOD,
PONTYPRIDD
DATE REGISTERED: 30/08/2022
ELECTORAL DIVISION: Cymer

RECOMMENDATION: Approve

REASONS: The site represents a parcel of land which straddles the line of the settlement limit, in the village of Trehafod. Given the varied pattern of development in the immediate area and site constraints, the development of one dwelling on this large plot would be considered acceptable, and in keeping with the character and appearance of the site and surrounding area. Similarly, it is not considered that the proposal would result in an unacceptable impact upon the levels of amenity of neighbouring occupiers. The application is also considered acceptable in terms of potential impacts upon both highway safety, ecology and land drainage. As such, the development is considered to accord with the requirements of both local and national planning policy.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Outline planning permission is sought for the construction of 1 no. detached dwelling, associated access and parking on a parcel of land adjacent to Mount Pleasant, Trehafod.

The parcel of land upon which the proposed dwelling would be situated is irregular in shape and measures approximately 2900sqm, with its northern boundary fronting the highway of Mount Pleasant.

The application is made in outline with all matters reserved for future consideration. However, an indicative layout which accompanies the application illustrates a detached dwelling located broadly within the centre of the plot with a parking area and detached garage to the west side of the property and private garden area to the rear (south). The illustrative layout plan indicates that access would be gained via a private drive which would be constructed to connect with Mount Pleasant (to the north).

As scale is a matter reserved for future consideration a range of maximum and minimum parameters are provided for the proposed dwelling;

	Minimum	Maximum
Depth	8.0 metres	9.0 metres
Width	13.0 metres	14.0 metres
Height to eaves	5.0 metres	6.0 metres
Height to ridge	9.5 metres	10.0 metres

The application is accompanied by:

- Planning Statement
- Ecological Appraisal and Impact Assessment
- Traffic Survey Information

SITE APPRAISAL

The application site consists of an irregular shaped parcel of land that extends to approximately 2900sqm. The site is located within the village of Trehafod, and is accessed via the highway of Mount Pleasant, which bounds the northern line of the site. There are variations in level across the site, with the level of the land rising away from the level of the highway along Mount Pleasant. The application site consists of land that was previously used as allotments but having not been used for this purpose for an extended period, is now covered by trees, vegetation and scrub. Land to the south is similar in character consisting of fields and grassland areas. Although being situated at the periphery of the settlement limits, many residential dwellings are located along Mount Pleasant. In the wider area, the dwellings to the west are more traditional terraced properties, with those to the east being larger detached and semi-detached properties set within large curtilages.

PLANNING HISTORY

There is no relevant recent planning history on the site in question.

PUBLICITY

The application was advertised by direct neighbour notification and site notices. Formal objections have been received from three individuals, with one providing a range of accompanying information in the form of follow up e-mails, photographs and video. These are summarised as follows:

Highway Safety

- It is commented that the proposed site access drops quite steeply onto a lane that is less than 3m wide and very close to a blind bend on the predominant access road along Mount Pleasant and an intersection of two narrow (one car width) lanes.
- It is commented that these small lanes have been prone to collisions over recent years and these increase during poor weather when roads are icy.
- Reference is made to a planning application to build a dwelling on the site of the former No 5 Mount Pleasant in 2014 (Planning App Ref: 14/0975/13). It is commented that this application was refused permission on highway safety grounds.
- The need to consider the safety of other road users, including the safety of walkers and cyclists is highlighted.
- It is commented that the traffic survey, which suggests the roads are lightly trafficked is not accurate and doesn't take into consideration the number of walkers and cyclists that access the wooded areas above Barry Sidings, which are known for their walking trails and mountain bike tracks.
- It is also commented that the number of road users especially cyclists and walkers is far greater in the summer months and are far and above greater than those identified in the traffic survey.
- It is commented that key service provider delivery vans, such as Royal Mail and others, plus the weekly refuse collection vans and HGVs can add to the increased road user numbers at different times of the day and different days of the week.

Land Drainage and Flood Risk

- Concerns are raised with regard to land drainage and potential flood risk issues, based on their own local knowledge of the area.
- They comment that the area and access roads to the proposed site have suffered badly from high flows of water emanating from the natural watercourses at both ends of the site. The application states that natural watercourse would be used to drain surface water. They state that in their opinion, the size of the proposed dwelling and access roadway would impact, significantly, on already high levels of water running through the natural watercourses particularly during the wet weather months.
- It is commented that local plot owners have seen high levels of localised flooding especially at particular times of the year when there are high levels of rainfall.
- It is claimed that the applicant has, in his former role as Trustee of the Allotment Society, lobbied NRW to try to resolve the issues of high levels of water 'spewing' onto the roads.
- Concern is also expressed that water which discharges onto the road freezes over in colder winter months and increases the risk of road traffic incidents.

- It is claimed that some remedial work has been done by the applicant himself but, that residents would agree that any proposal that may result in an increase in water flow into natural watercourses should be carefully monitored over an extended period of time to assure neighbouring plot holders that the problems have been resolved.

Ecology

- Comments are made on the accompanying Ecological Survey. It is claimed that the appraisal doesn't identify some mammals that are prevalent in the local area, including hedgehogs and mink.
- Objections are also raised with regard to the loss of habitat.

Land Use and Character

- It is noted that whilst the site is described as 'old allotments', it is suggested that the land, subject to the planning proposal, has not been a traditional 'vegetable growing' allotment plot for many years. Rather, the site has mainly been used to graze livestock (pigs and sheep), to raise poultry and in recent years to produce honey. Some areas of these plots continue to remain as unfenced, open green spaces.
- It is noted that the site sits on the boundary of the settlement limits and lies within a Special Landscape Area. They express concern that the development would have an adverse effect on the surroundings and local habitat for wildlife.
- It is commented that approximately 2 years ago, the land was owned by a private allotment Society named 'Trehafod Allotment Society' however, it was decided that the society would disband and 'gift' land to those that were still in the society. It is commented that the land is subject to a restrictive covenant, which forms part of the title deeds, and prevents the land from being developed for residential or commercial purposes.
- It is suggested that if planning permission is approved then careful consideration should be given to the quality, design and materials of the development.

Other matters

- It is claimed that some tree felling has already occurred at the site and a store building is present on the land.
- It is stated that the applicant also owns further parcels of allotment/grazing land in the area, in addition to the application site. Concern is expressed that if the current application is approved then this may lead to further applications for residential development of neighbouring plots.
- It is commented that the applicant has not undertaken any consultation with residents prior to submission of the planning application.
- It is commented that extreme care should be taken if permission is approved, when excavating over soft verge at site entrance as gas mains and BT infrastructure is located here.

CONSULTATION

Highways and Transportation – no objections subject to conditions.

Land Reclamation and Drainage – no objections raised, condition recommended.

Dwr Cymru – no objections raised, conditions recommended.

Public Health and Protection – no objections raised.

Countryside, Landscape & Ecology – no objections raised, conditions recommended.

Western Power – Should the developer require a service diversion or a new connection they will be required to make a separate application to Western Power Distribution. An informative note to this effect is recommended.

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 lies in the Northern Strategy Area and straddles the line of the settlement boundary, within the village of Trehafod. The part of the site that is outside settlement limits forms part of a Special Landscape Area.

AW 1 sets out the criteria for new housing proposals, commenting that the provision of new dwellings will be met by a number of methods, including the development of unallocated land within the defined settlement boundaries.

AW2 promotes development in sustainable locations.

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

AW6 sets out the criteria for new development in terms of design and placemaking.

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

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

NSA12 sets out the criteria for new development within and adjacent to settlement boundaries.

SSA23 identifies a number of Special Landscape Areas: SSA23.6 refers to Mynydd y Glyn and Nant Muchudd Basin.

SUPPLEMENTARY PLANNING GUIDANCE

Access Circulation and Parking
Nature Conservation

National Guidance

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

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

It is considered 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 complies 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

Other relevant national policy guidance consulted:

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

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

Principle of Development

In the assessment of any application for residential development, the first consideration must be the location of the site in planning policy terms. In this case the plot is located in a position which straddles the line of the settlement boundary in the Northern Strategy Area.

Whilst it is acknowledged that a large part of the application site, is located outside the defined settlement limits, it is noted that Policy NSA12, makes provision for certain types of development, which are outside but adjoining the defined settlement, subject to certain criteria. The criteria requires (amongst other things), that the proposal would not result in the construction of more than 10 dwellings and that the site is bounded on at least one side by the defined settlement boundary. In this regard, the general principle of residential development may be considered acceptable. In addition to this, despite being located at the periphery of the settlement (boundary), it is considered that the site represents a sustainable location, situated within walking distance of the main village of Trehafod where services, facilities and public transport links are available.

Therefore, in this regard, the general principle of residential development may be considered acceptable. However, this is only the case if all other matters, relating to amenity, character, ecology and highway safety can also be satisfied. These matters will be considered in detail in the following sections.

Character and Appearance

In terms of area, the site extends to approximately 2900m², an area which is physically large enough to accommodate one dwelling and associated amenity space and parking. However, consideration must also be given to how the development of the site would relate to the character and existing pattern of development in the vicinity of the application site, particularly as part of the site extends into a Special Landscape Area.

As noted above, the application is made in outline with all matters reserved for future consideration, however the submission is accompanied by an illustrative site layout. This illustrates a large, detached dwelling situated broadly within the centre of the site, with a parking area to the west, accessed via a drive which connects with the highway (Mount Pleasant) that bounds the north of the site. It is noted that there is some variation in character in terms of the pattern of development and housing styles in the vicinity of the application site. To the west of the site, on approach along Woodfield Terrace, properties are predominantly terraced in character, being traditional stone fronted dwellings. However, to the east, along Mount Pleasant, there is greater variation in character. Properties consist of detached and semi-detached units, positioned within, in some cases, substantial plots and set back from the line of the highway. As such, it is not considered that the development of a further single dwelling within a large plot, would appear out of keeping with the pattern of development in the area. Furthermore, this less intensive development, allows an opportunity to respond to the topographical constraints of the site, the levels of which rise away from that of the highway that bounds the site. Again, as the application is made in outline with matters of scale and appearance reserved for future consideration, no elevational details accompany the submission, however, a range of parameters have been provided. It is acknowledged that the maximum parameter range would result in the development of a large two storey property, however it is considered that there is sufficient space available to accommodate a property at this scale. Furthermore, as previously noted, a number of large dwellings are located to the east of the site, along Mount Pleasant.

Overall, it is considered that the development would be acceptable in terms of its potential impacts upon the character and appearance of the area, where a varied pattern of development and building styles are evident. Therefore, the proposal is considered to comply with the requirements of Policies NSA12, AW5 and AW6 of the Local Development Plan.

Residential amenity

As the site is located (partially) within settlement limits, with some neighbouring properties being located in the vicinity of the site, it is important to consider the potential impacts of the development upon the levels of amenity and privacy that existing neighbouring occupiers currently enjoy.

It is understood that the application site and neighbouring land was formerly used as allotment gardens and for the grazing/keeping of livestock, and was managed by an allotment society; as such much of the land to the south and east is undeveloped. However, to the west the site is bounded by the dwelling and curtilage of a property fronting Mount Pleasant. Despite the fact the two plots share a boundary, it is not considered that the development of a dwelling on the application site would adversely affect either the levels of amenity or privacy which these residents currently enjoy. Based on the illustrative site layout, separation distances in the region of 50 metres could be achieved between the two properties, and despite the elevated position, it is considered possible to design a dwelling, in which habitable rooms would not result in direct overlooking to existing properties.

As such, it is not considered that the proposal would result in an unacceptable loss of privacy or adverse amenity impacts, therefore the scheme accords with the requirements of Policy AW5 of the Local Development Plan.

Highway Safety

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

In terms of access, their observations comment that the access to site is via a network of substandard roads in terms of width, junctions of acute angles and poor vision splays and lack of turning facilities. It is also noted that the proposal would intensify the use of the substandard local highway network, to the detriment of highway safety and free flow of traffic.

The proposed primary access is via Mount Pleasant, which has a single width carriageway (3.0-3.5m), with no footway provision and limited areas for vehicles to pass one-another. Whilst the applicant has indicated that the driveway access would provide potential for an informal passing bay, there is some concern that the maximum length of passing bay incorporating the access point would be 11.0 metres. However, taking into account the limited use of such vehicles in excess of this length associated with traffic using Mount Pleasant, on-balance this is considered acceptable.

The comments of the Highways and Transportation Section also make reference to a previous planning appeal on an area of land to the north of the application site. Whilst the appeal in question was ultimately upheld on grounds relating to a lack of off-street car parking, the Inspector concluded that access to the site was acceptable. In the case of the appeal, the Planning Inspectorate took the view that the limited traffic generated by a single dwelling, would not materially (adversely) alter the existing highway safety situation in the vicinity of the site. An extract from the Inspector's decision reads;

I do not agree that there would be any issue with the highway being impassable because there is another junction around 50m to the east, which affords an alternative route into and out of Mount Pleasant. Visibility at the junction with Woodfield Terrace is restricted and the alignment is poor. This is a common situation in the valleys area. No evidence of any accidents or existing problems with the junction was supplied. Traffic from Mount Pleasant appears to have a tacit priority because of the horizontal and vertical alignment and the available alternative route. The addition of the traffic of one dwelling would not materially alter the existing situation.

In terms of parking, it is noted that the indicative scheme indicates a minimum of 4 spaces could be provided within the double garage and proposed driveway, which accords with the Council's Supplementary Planning Guidance: Access, Circulation & Parking 2011.

The comments of the Highways and Transportation Section also highlight the fact that there is an existing drainage ditch running parallel to the highway of Mount Pleasant, which the applicant will be required to cross to provide direct access to the application site. Whilst this appears to be achievable, it is commented that it is likely that the applicant will also be required to apply separately to the Council's Land Drainage Section for an Ordinary Water Course Consent to undertake these works.

The observations of the Council's Highways and Transportation Section conclude by noting that there is some concern regarding the sub-standard access leading to the site, which is lacking in width to accommodate safe two-way vehicular movement and has no segregated footway facilities, with limited areas for vehicles to pass one another. They also express some concern that the access is sub-standard for large vehicles and pedestrians to pass one another. However, they note that there is potential to avoid the occasional large vehicle, by stepping onto the verge area.

Notwithstanding the above concerns, having assessed the scheme and taking into account the Inspector's previous appeal decision, regarding the limited vehicular movement generated by one dwelling having minimal impact on the existing highway network, on-balance, the proposal is considered acceptable in highway safety terms, and therefore accords with the requirements of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Ecology

As noted in the site description, the application site consists of land that was previously used as allotments but having not been used for this purpose for an extended period is now covered by vegetation and scrub. In order to assist in the assessment of potential impacts upon protected species and habitat loss, the application is accompanied by an Ecological Appraisal and Impact Assessment (EAIA), which has been reviewed by the Council's Ecologist.

The Council's Ecologist confirms that the ecology report is an appropriate assessment of the site. It confirms that in essence the development will involve the loss of some areas of alder woodland and hedgerow, and species poor, semi-improved grassland. To paraphrase the report's conclusions, the EAIA - Ecological Appraisal and Impact Assessment (MPS Ecology July 22) concludes that ecological impacts can be successfully mitigated, through precautionary species and habitat measures, and off-setting mitigation in the form of grassland and woodland management and invasive plant control. The assessment identifies no over-riding species impacts and no need for further survey work, although there is a recommendation for a precautionary pre-check for bats if any tree removal occurs.

Overall, it is considered that the EAIA conclusions are acceptable and there is no justification or requirement for further, more detailed ecological assessment. However, the provision of compensatory habitat management is the key component in the scheme, as such a condition is suggested (in line with the Ecological Assessment) which relates to compensatory management of grassland, woodland and invasive plants as part of a 5 year aftercare programme. A further condition relating to the need to provide a Wildlife Protection Plan is also recommended.

As such, in light of the above, it is considered that the scheme is acceptable in ecological terms and therefore, accords with the requirements of Policy AW8 the Rhondda Cynon Taf Local Development Plan.

Drainage

It is noted that following the publicity of the planning application representations were received from a nearby resident, expressing concern with regard to the potential impact of the development upon matters of land drainage/ flood risk. In particular, they express concern that the watercourses which currently convey across the site are already at capacity, during periods of heavy rainfall and would not be able to accommodate any additional flows resulting from the proposed development.

In order to aid in the assessment of these matters, consultation was undertaken with the Council's Land Drainage / Flood Risk Management Team. Their response comments that Natural Resources Wales' Surface Water Flood Risk maps have been used to review the site's surface water flood risk, as per Paragraph 8 of TAN 15. The review concluded that an area of low flood risk is identified to the north and southwest of the proposed site, associated with the network of unnamed ordinary watercourses, which drain the hillsides above and below Mount Pleasant. They also note that there is an unnamed ordinary watercourse, which bounds the western edge of the proposed site. In addition, there is also a drainage ditch identified north of the site, running parallel to Mount Pleasant, which the applicant will be required to cross to provide direct access to the proposed site. Their observations do not object to the principle of forming an access across the drainage ditch in question but highlight the fact that the applicant should be informed of their obligation to obtain Ordinary Watercourse

Consent, under Section 23 of the Land Drainage Act 1991, prior to undertaking any works that may affect the watercourse.

Their observations acknowledge that the applicant intends to dispose of surface water using an existing watercourse. It is noted that regardless of construction size and proposal type, in order to connect to an ordinary watercourse, the applicant will first be required to provide to the (LLFA) details of the pre and post development discharge rates, in order to confirm the ordinary watercourse flood risk is not increased, and thereby demonstrating compliance with the requirements of Section 8.3 of Technical Advice Note 15. It is noted that this information may include a drainage strategy, with associated calculations demonstrating the pre and post surface water discharge rates from the site and a general arrangement of the catchment and proposed drainage system. The submission and assessment of this information can be dealt with by the use of an appropriately worded planning condition, requiring the submission of detailed drainage arrangements for the site, prior to commencement of development.

It is acknowledged that, based on evidence provided by the objector to the application, that some minor overtopping of the ordinary watercourse, within their land is evident during periods of poor weather. However, it is not possible for the LLFA to comment in further detail at this point on the actual capacity of the watercourse (a formal channel capacity assessment would need to be undertaken). Whilst the capacity concerns of the objector are acknowledged, the use of the afore mentioned condition would require the developer to demonstrate via submission of evidence to the LLFA, that the watercourse is able to manage any increase in surface water runoff from the site and that the risk of flooding would not be increased downstream. Furthermore, as the applicant is proposing to develop on land where multiple ordinary watercourses flow through, they will also be required to obtain Ordinary Watercourse Consent in advance of any works commencing on site.

Overall, the comments of the Council's Flood Risk Management Team conclude by raising no objections to the planning application, subject to a condition and informative notes. Therefore, it is considered that the proposals accord with the requirements of Policy AW10 the Rhondda Cynon Taf Local Development Plan.

Other matters

As outlined in the publicity section of the report, following the advertisement of the planning application, representations were received from three individuals. In addition to the matters outlined in the preceding sections of the report, their objections also refer to the previous use of the land and legal covenants associated with this.

In their representations they comment that until approximately two years ago, the land was owned by a private allotment society named 'Trehafod Allotment Society', however, it was decided that the society would disband and 'gift' land to those that were still in the society. However, they comment that whilst there is no obligation to continue to use the land as allotment gardens, they note that the land is subject to a

restrictive legal covenant, which forms part of the title deeds, and prevents the land from being developed for residential or commercial purposes.

Whilst this point is acknowledged, it must be noted that matters relating to legal covenants, which may be attached to title deeds, do not in themselves form a material planning consideration, which may be taken into account in the determination of the planning application. Rather, they form a private legal matter, which the applicant would be required to resolve outside of the planning process.

In their representations, objectors also refer to the fact some trees have already been felled at the site. It must first be noted that none of the trees on site are protected by formal Tree Preservation Orders. Furthermore at the time of the site inspection, no clearance works were observed. In addition, the conditions required in relation to the ecology assessment will ensure the mitigation and management of ecological features in the long term.

Finally, the objectors express concern that the grant of this planning permission would set a precedent for similar developments on other former allotment sites in the area. In response to this point, it is noted that every planning application is assessed on its own merits and the approval of one scheme does not mean that the same development on a nearby site will automatically be considered acceptable.

Community Infrastructure Levy (CIL) Liability – Outline applications

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.

Conclusion

Having taken account of all of the issues outlined above, the application proposal is considered acceptable representing a site which is physically large enough to accommodate a dwelling, located in a sustainable location being partially within settlement limits and bounding the settlement of the Northern Strategy Area. For the reasons set out above, it is not considered that the proposals would adversely affect the character and appearance of the site and surrounding area. Similarly, on balance, it is not considered that the proposals would result in an unacceptable impact upon highway safety, land drainage or ecology. The application is also considered acceptable in terms of potential impacts upon the levels of amenity enjoyed by neighbouring residents. Therefore, the proposal is recommended for approval, subject to the conditions specified below.

RECOMMENDATION: Grant

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 Section 92 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)
 - Site plan – Land off Mount Pleasant 1:1250
 - Site location plan / Proposal with settlement boundary plan 1:1250
 - Illustrative site layout
 - Illustrative plans and elevations

and information received by the Local Planning Authority on 25/08/22 and 13/09/22 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. Notwithstanding the submitted plans, the reserved matters application shall be accompanied by details of existing and proposed ground levels, along with details of any retaining structures which may be required in connection with the proposed development.

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

4. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

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

5. The dwelling shall not be occupied until the drainage works have been completed in accordance with the approved plans.

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

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

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

7. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees 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.

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

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

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

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

10. Notwithstanding the details shown on the submitted plans, development shall not commence until design and details of a passing bay incorporating the site access point and tie in with Mount Pleasant have been submitted to and approved in writing by the Local Planning Authority. The passing bay / site access shall be implemented in accordance with the approved details prior to beneficial occupation of the dwelling.

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

11. 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.

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

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

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

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

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

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

14. Surface water run-off from the proposed development shall not discharge onto the public highway or be connected 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.

15. No works shall commence until a Wildlife Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include;

- a) A figuring showing areas of habitat to be protected and retained during construction.
- b) Details of protection measures including fencing and tool-box talks.
- c) Details of precautionary species mitigation measures to include nesting birds, reptiles, bats and mammals.
- d) Timetabling of works.

All construction activities shall be implemented in accordance with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

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

16. No works shall commence until details of a 5-year habitat compensation and enhancement plan have been submitted to and approved in writing by

the Local Planning Authority. The 5 year plan shall commence upon occupancy of the new property. The Plan shall include;

- a) A figuring showing areas of habitat to be managed.
- b) Details of compensatory management of grassland, woodland and hedgerow.
- c) Details of Invasive Plant control and removal.
- d) Timetabling of work.
- e) Details of personnel undertaking the Plan
- f) Details of annual reporting to the Local Planning Authority.

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

17. No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0151/08 (KL)
APPLICANT: Rhondda Cynon Taff C.B.C
DEVELOPMENT: Change of use from dwelling (Use Class C3) to a childrens home (Use Class C2).
LOCATION: WILLOWFORD HOUSE, MAIN ROAD, GWAELOD-Y-GARTH, TAFF'S WELL, CARDIFF, CF15 9HJ
DATE REGISTERED: 23/02/2023
ELECTORAL DIVISION: Ton-teg

RECOMMENDATION: Approve

REASONS: Whilst there is some concern with regards to the suitability of the site for its use as a residential children's home, particularly due to its location outside of the defined settlement boundary and within a C2 flood zone, the site relates to an existing residential property and, other than an element of care and the presence of a small number of staff, the proposed use would continue to be residential in nature.

Furthermore, the proposal would not involve any significant external alterations that would impact upon the character and appearance of the application property or upon the amenity and privacy of surrounding properties, nor would it have any adverse impact upon highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the conversion of an existing residential dwelling (C3) to a residential children's home (C2). The conversion would not result in any external changes to the property however, a small number of internal alterations would be made in order to facilitate the proposed use, including the subdivision of the existing living room to create a separate living room and rec room and also the creation of a ground floor W.C within the existing kitchen/dining room.

Some alterations would also be made to the garden area to provide for 6 off-street car parking spaces (1 no. disabled) along with the provision of a tarmacked driveway. Access to the site would remain as existing.

Information submitted with the application indicates that the home would be registered with Care Inspectorate Wales. It would provide 24 hour care and support for up to 3 children with varying needs who will be cared for in a safe, stable, nurturing home environment to support them in meeting their potential within their local community.

The use would employ 2 full-time and 2 part-time members of staff and, as a result of its residential care use, it would operate 24 hours a day. A minimum of 3 members of staff would be on duty between the hours of 07:30 – 23:00 and 2 members of staff between 23:00 – 07:30.

Further information on the Council's Residential Care Transformation Strategy and the wider context of the application site and its suitability for use as a residential children's home is included at Appendix A.

SITE APPRAISAL

The application site relates to a two-storey, detached property which is set within an irregular shaped parcel of land on the western side of the country lane between Treforest Industrial Estate and Gwaelod y Garth. The property is set within a large plot with the north-east facing front elevation being set back from the lane. An enclosed garden is situated to the north-western elevation with off-street car parking being provided within. Vehicular and pedestrian access is provided via gates to the north-eastern boundary.

The site is sandwiched between the River Taf to the east and the main train line between Cardiff and Pontypridd to the west. The areas to the north and south of the site are heavily vegetated. A Public Right of Way (DRE/53/4) runs through the northern end of the site however, it is unclear whether the path is still operational as there appears to be no access to it from the lane, or any directional signage to indicate its presence.

The surrounding area is typically characterised by open countryside and there are no residential or commercial properties in the immediate vicinity of the site. The nearest residential properties are located in Crib-y-Lan which are over 100m away to the south-east on the other side of the trainline. A number of commercial properties are located in Treforest Industrial Estate approximately 140 metres to the east on the opposite side of the River Taf.

It is noted that at the time of the officer's site visit, a number of works were already being carried out at the site.

PLANNING HISTORY

There are no planning applications on record for this site in last 10 years.

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. One letter has been received in response to this exercise. The letter does not raise any objection to the children's home however a number of points are made and are summarised as follows:

Suitability of the site for use as a children's home

- There is concern that the Council and its Safeguarding Team have completely misunderstood the requirements for children at the location. The dwelling would not provide a safe and secure location for children in care due to the local environment.
- The dwelling is close to a railway line and the new fencing that is being erected would not provide sufficient security to stop children entering the railway line as there are so many opportunities along the line.
- The dwelling is close to the River Taf and there is less than 20m between the boundary of the house and the river. Children may not see the risk of going towards the water's edge and could be swept away.
- The house and surrounding area has been flooded during the storms within the past 5 years, placing children in a known flood area is not wise.
- The road that goes passed the house does not have the ability to place a pavement so that children can access easily.
- There is a blind bend to the right as you exit the house.
- There is no streetlighting in the area.
- There is an increased risk of potential accidents on the road and places additional risks to any car drivers.
- The gates of the property currently act as a natural passing place between cars/vans as the road is fairly narrow, therefore this could potentially increase the risk of accidents in the road.
- The house is not suitable to use as a children's home due to the speed and volume of traffic as the exit from the house is directly onto the road.

South Wales Metro

- The proposal negates all the work and activity that has been in place for the new metro station at Treforest Industrial Estate.
- Reference is made to a Wales Online article (Dated 20 June 2018) which indicates that the existing station at the Treforest Industrial Estate will be moved further south to be closer to the Coleg y Cymoedd campus and new HQ for the Department for Work and Pensions.

- It is suggested that the Council then took ownership of the land and property at Willowford Road, which were intended to be used to support the South Wales Metro in the future.
- Reference is made to a news article published on the Council's website on 12 May 2021 which refers to the land and buildings along Willowford Road, stating that the public transport offer linking to Treforest Industrial Estate would be enhanced and that the acquisition will safeguard the land for future use in support of the South Wales Metro.
- Not only has there been a change in the use of the area, the conclusion must be that the Council have misled the public in their intent to purchase the land/house, thereby using local council funds to pay for the acquisition, which has been designated for the Metro system.
- The misleading of local funding should be referred for review.
- The conclusion is that RCT have already made the decision on this application.

Details of the application and consultation

- It is not clear from the planning application exactly what is being planned.
- There is no indication of how many bedrooms the house will be made into.
- There is no indication of whether an extension is being built.
- The application is sparse in detail and it is therefore difficult to understand what is happening.
- There is already work going on at the house and this is not preparatory work. The works include the removal of existing hedge fencing and the construction of a wall as well as other internal and external work.
- There has been a constant stream of contractors, builders, electrician's etc since the beginning of the year. All of these activities will have used Council funding to change the use of the dwelling before it has been officially approved.
- The consultation exercise is a paper exercise in the Council's duty as RCT have already used this dwelling during December 2022 when children were placed in the current house on a temporary basis, before any remediation work was carried out.
- RCT have already placed adverts for employment at this location as a Children's home in November 2022.
- It is quite clear that RCT has made this decision without informing residents appropriately.
- The advert was not for temporary assignment at the children's home in Willowford Road, therefore the assumption that this was for permanent roles which have now been filled.

CONSULTATION

The following consultation responses have been received:

Coal Authority: No objection. It is advised that the site is situated within the defined Development High Risk Area however, the nature of the development is exempt from

the requirement for a Coal Mining Risk Assessment to be submitted with the application.

Ecology (RCT): No objection.

Flood Risk Management: No objection, conditions recommended.

Highways and Transportation: No objection, condition recommended.

Natural Resources Wales: No objection, advice provided in respect of foul drainage and flood risk.

Public Health and Protection: No objection, standard advice provided in respect of hours of construction, noise, dust and waste.

Public Rights of Way Officer (RCT): No objection.

South Wales Police: No objection, condition recommended for the submission of a Management Plan.

Welsh Water: No objection, advice provided in respect of foul water drainage.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application relates to an existing residential property that is located outside of the defined settlement boundary. The following policies are considered to be relevant in the determination of this application:

Policy CS2 (Development in the South): sets out criteria for achieving sustainable growth including development that benefits Rhondda Cynon Taf as a whole.

Policy AW2 (Sustainable Locations): advises that development proposals on non-allocated sites will only be supported in sustainable locations.

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

Policy AW6 (Design and Placemaking): requires development to involve a high quality design and to make a positive contribution to placemaking, including landscaping.

Policy AW7 (Protection and Enhancement of the Built Environment): seeks to protect public rights of ways.

Policy AW8 (Protection and Enhancement of the Natural Environment): seeks to ensure that developments would not unacceptably impact upon features of importance to landscape or nature conservation.

Policy AW9 (Buildings in the Countryside): supports the alteration, renovation or conversion of existing buildings outside the defined settlement boundaries for

residential, employment, community or tourism uses, provided that the building is structurally sound and that there are no other viable uses.

Policy AW10 (Environmental Protection and Public Health): development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

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.

Supplementary Planning Guidance

Design and Placemaking
Nature Conservation
Planning Obligations
Access Circulation and Parking

National Guidance

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

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

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

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

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 6: Planning for Sustainable Rural Communities;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
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 change of use of an existing residential dwelling (Use Class C3) to a residential care home for up to 3 children (Use Class C2).

The site is situated outside of the defined settlement boundary and there is some concern that the site is unsustainable and unsuitable for use as a residential care home, particularly given that the site is served via a narrow country lane with no pedestrian footway provision or lighting and that there are no facilities in the immediate area. Furthermore, whilst Treforest Estate train station is located in reasonable walking distance of the site, it is located further along the lane and, due to the lack of pedestrian footways and street lighting, it is unlikely that anyone would travel on foot between the site and the station. The use would therefore be heavily reliant on travel by private motor car.

There is further concern that the site is situated within close proximity to the River Taf and, as a result, it is within Zone C2 in respect of flooding. TAN 15: Development and Flood Risk would not usually permit highly vulnerable development, such as a residential care home, within such areas however, consultation with Natural Resources Wales has not raised any objection to the proposal. The comments received indicate that the vulnerability of the site would remain the same however, it is noted that there could be a potential intensification of use, which may create more pressure on emergency services should evacuation be required. The comments advise that the Local Planning Authority may wish to consider whether a Flood Consequences Assessment is required, or the applicant may wish to undertake one for their own benefit however, NRW consider that the proposals could be acceptable, subject to the applicant being made aware of the potential flood risks to the area.

Whilst there are clearly some very valid concerns in respect of the proposal, the existing and proposed uses are both residential in nature and the overall character of the use would remain the same. Furthermore, the proposal does not include any extension to the property and so any intensification of the use of the site would be minimal. Therefore, without any objection from Natural Resources Wales, the proposal is on balance considered to be acceptable in principle.

Impact on the character and appearance of the area

The proposal would not result in any external alterations to the property, other than for minor repair and refurbishment works. The character and appearance of the property would therefore remain the same.

It is noted that there would be some works to the garden area to provide additional parking however, given the nature and scale of these works, this would be in-keeping with the residential appearance of the existing property. Furthermore, the garden area is largely screened from Main Road by existing trees and hedgerows and the alterations would therefore not be particularly visible from the public highway.

Impact on residential amenity and privacy

The proposal would not result in any external alterations to the property and with the application site being situated at least 120 metres away from the nearest neighbouring residential and commercial properties, it is not considered that the proposed development would adversely impact upon their amenity or privacy.

Furthermore, other than the element of care and the presence of staff, it is considered that the proposed residential care home, which would be of a limited scale, would generally exhibit the same residential characteristics as the existing residential dwelling and it is not considered that the use would result in harmful levels of noise and disturbance. As such, any potential impact upon surrounding properties would be limited in this regard.

Access and highway safety

The application has been assessed by the Council's Highways and Transportation section and no objection is raised in relation to the proposal, subject to condition. The comments received are summarised as follows:

Access

Some concern is raised with regards to the access leading to the application site in that Main Road is lacking in segregated footway facilities and street lighting, which results in pedestrians being forced to walk in the carriageway with potential hazards to the detriment of safety of all highway users. However, the property as a C3 (residential) use would have generated a similar amount of movements as the proposed C2 (children's home) use and therefore the concern would not be so significant that it would warrant a highway objection.

Parking

The existing residential dwelling requires up-to a maximum of 3 off-street car parking spaces, in accordance with the Council's SPG Access, Circulation and Parking (2011), with 3 provided. The proposed use as a residential care home would require 1 space per resident staff, 1 space per 3 non-resident staff and 1 space per 4 beds. The proposal includes 5 bedrooms, one for staff and 4 for children with a full-time equivalent of 3 non-residential staff members. This would require 3 no. off-street car parking spaces however, the proposal includes works to the garden area to provide additional parking (6 no. spaces) and the proposal is therefore considered to be acceptable in this regard (condition recommended to ensure the car parking arrangements are implemented prior to the proposed use being brought into beneficial use).

Other Issues:

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

Drainage

The application relates to a change of use meaning that there would be no changes to the external hardstanding areas within the site. As such, the applicant will not be required to submit an application to the Sustainable Drainage Systems (SuDs) Approval Body (SAB).

The proposal has been assessed by the Council's Flood Risk Management team and the response received indicates that there are areas of high, medium and low surface

water flood risk identified to the south of the property, within the proposed site area. It is further advised that there is also a high surface water flood risk surrounding the west periphery of the proposed site area, with the ordinary watercourse flowing from west to east at the northern end of the site. The ordinary watercourse identified appears to have a low impact on the application site however, the application property has minimal impact from all surface flood risks mentioned.

It is noted that surface water will be disposed of via the main sewer however, the applicant has not provided any relevant surface water drainage proposals as part of the application. A condition is recommended in this regard to ensure that surface water is appropriately managed however, given that there would be no change to the external hardstanding areas, this condition is not considered necessary in this instance.

Ecology

The applicant has confirmed that the proposal would not result in any works to the existing roof however, some repair works have already been undertaken, including the replacement of broken slate tiles and damaged gutters. Consultation with the Council's Ecologist has confirmed that on this basis the proposal would not trigger the bat survey protocol and, as such, the application is not required to be supported by a bat survey. However, a condition for biodiversity enhancement details is recommended.

Other Issues Raised by Local Resident

One letter has been received from a local resident. Where the issues are not addressed in the sections above, the following comments are offered:

Metro

The letter refers to the provision of the South Wales Metro and the land being acquired by the Council to safeguard the land for future use in support of the Metro.

Whilst it is noted that a new station has been advertised at Treforest Estate, the exact location of this development is firstly not clear and secondly, at the time of writing this report, no application has been received for the provision of such a development. It must be noted that the Council is not in control of the development of the South Wales Metro with the provision of this service largely relying upon the involvement of other parties. Therefore, whilst the land and buildings may be safeguarded for the future use of the Metro, it does not necessarily mean that the application site will be used for any specific purpose relating to it, nor should it mean that the site should go unused prior to it being required for the Metro.

The suggestion that the public have been misled, that the Council have acted under false pretences and that the Council have already made the decision on this application is therefore incorrect. The application must therefore be considered on its

own planning merits and no weight can be given to something that may or may not happen at an indeterminate point in the future.

Details of Planning Application and Consultation

The letter suggests that it is not clear what is being proposed as there is no indication of the number of bedrooms or whether there would be any extensions to the property. The plans and documents submitted with the application have all been published on the Council's website and are available for members of the public to view. The existing and proposed plans clearly show that the property would not be extended and the number of bedrooms is clearly shown (5 no.).

It is further suggested that residents have not been informed about the application properly however, the consultation exercise has been carried out in accordance with the requirements set out within the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. A total of 28 properties were directly notified of the application (which is considered to be excessive given that there are no properties within 100 metres of the site) and a total of 2 site notices were erected on Main Road, either side of the application property.

Development Works

It is noted that works have previously been, and continue to be, carried out at the site. As stated earlier in this report, the proposed use would be facilitated through a number of internal alterations. The building would not be extended, nor would any external alterations be required, other than the provision of additional car parking spaces in an existing area of hardstanding within the garden curtilage. It is not considered that these works would require planning permission and they could be carried out regardless of the outcome of this planning application, which is primarily for the change of the use of the property.

Whilst the letter suggests that adverts have been published for employment at this site, it is not clear whether the advert specifically related to this site or for the service in general. If it is the case that it was for this specific site, then this is considered to have been done prematurely. In any case, the outcome of that advertisement exercise is not pursuant to this application and it would therefore be irrelevant should this application be refused.

The letter received further suggests that for the above reasons, the outcome of the application has already been decided however, that is clearly not the case given that the planning process has been followed and the application is to be determined by elected Members of the Planning and Development Committee.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Whilst there is some concern with regards to the suitability of the site for its use as a residential children's home, particularly due to its location outside of the defined settlement boundary and within a C2 flood zone, the application property relates to an existing residential property and, on balance, the principle of the proposal is considered to be acceptable. Furthermore, the proposal would not involve any significant external alterations that would impact upon the character and appearance of the application property or upon the amenity and privacy of surrounding properties, nor would it have any adverse impact upon highway safety in the vicinity of the site. The application is therefore recommended for approval, subject to a number of conditions.

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

- Site Plan (Rec. 09/02/23)
- Ground Floor Plan – Proposed (Rec. 09/02/23)
- First -Floor Plan – Proposed (Rec. 09/02/23)
- Second Floor Plan – Proposed (Rec. 09/02/23)
- Site Layout Plan (Rec. 28/04/23)

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

3. The premises shall only be used as a regulated children's home and for no other purpose; including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order. When the use hereby approved ceases, the premise shall revert back to its original Class C3 use.

Reason: In the interest of residential amenity, drainage and highway safety in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the use hereby approved commencing the operator shall submit a management plan for the premises to be agreed in writing by the Local Planning Authority. The premises shall operate in accordance with the agreed details for as long as the use is carried out at the property.

Reason – In order protect the amenities of neighbouring properties in accordance with Policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Before the development is brought into use, the means of access together with the parking facilities shall be laid out in accordance with the submitted site plan (ref. D3-PO1) and approved by the Local Planning Authority. The parking spaces shall be surfaced in permanent materials and retained thereafter for the parking of vehicles.

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

6. Within 2 months of the date of this decision, a scheme for biodiversity enhancement shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: Future Wales requires all development to maintain and enhance biodiversity.

Appendix A: Additional Information

1. On 28th February 2023, Cabinet approved the Children Looked After Residential Care Transformation Strategy, the link to those documents can be found [here](#). On 13th March 2023 and 16th March 2023 briefing sessions in respect of the Transformation Strategy were also provided to Elected Members. A further one is planned for June 23. There was excellent engagement by attendee Councillors at those sessions where Officers answered questions and gave reassurances about our intention to work in partnership with Councillors, especially those ward members where there are new developments. During the sessions there was an opportunity to refresh Councillor awareness of their duty as Corporate Parents:

Councillors as Corporate Parents have an important role to play in ensuring that every child in their Council's care receives the best care possible. They should be striving to provide the level of care they would be happy for their own children to receive.

Background to the Residential Transformation Strategy:

2. In all cases, the Council supports families to look after children at home, with support where necessary. In January 2022, the Cabinet approved the Council's looked after prevention strategy that sets out its commitment to family support, and making sure that only those children for whom there is no safe alternative, become looked after. Work under this strategy is showing promise with a reduction in the numbers of children with care and support needs who become looked after.
3. **Family first** - When children become looked after, care by relatives or connected people is always our first option, and foster care where that is not achievable. Some children's needs cannot be met by substitute family care or foster care, and they will need to be looked after in residential care which is also known as Children's Homes. This strategy, and its related action plan set out the intention to deliver an unprecedented change of strategic direction in relation to children's residential services.
4. Residential services (Children's homes) are an essential element of the portfolio of provision that is required to meet the Council's statutory obligations to looked after children. It

has been increasingly evident over recent years that the largely outsourced residential provision has struggled to supply services to meet the changing needs of our looked after young people, and commissioning systems have not entirely had the desired impact. In 2022 Welsh Government began to implement a policy to eliminate private profit making from the provision of care. There is consequently an urgent imperative on all local authorities to plan for this transformation ahead of 1st April 2027 when it is proposed that all providers will have transitioned to a not-for-profit status.

5. Children's Services has taken a sector-leading needs-led approach to the identification of the types of residential provision that will be required to meet the needs of children and in the future.
6. The vision for the strategy is that by 2027, all RCT young people who need residential care are looked after close to home in high quality settings where they can thrive, and that they are looked after by a stable, resilient, skilful and well supported staff group. This work will also be underpinned by our commitment to stability for looked after young people, understanding that looked after young people need specialist services.
7. Children's Services is already an experienced provider of Children's Homes that achieve high quality outcomes for our looked after children. Those homes are registered in line with the Regulation and Inspection of Care RISCA (Regulation and Inspection of Social Care Act (Wales) 2016). Reports about the quality of care and experiences are regularly brought to Corporate Parenting Board by the Council's Registered Individual. Information about the duties of a Responsible Individual can be found here [Responsible Individuals | Social Care Wales](#).
8. The planning application for Willowford House is the first of several developments that will be brought to Planning Committee in line with the strategy and our ambition to develop services that are close to home and not for profit.

About Willowford House

9. Prior to deciding to develop the Home, a location assessment was carried out by the Council's Registered

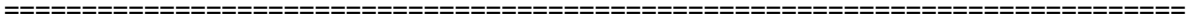
Individual. Any risks associated with the site and location have been viewed as manageable, noting that:

- The Social Care Wales registered manager will be carefully considering the needs of children who are matched to this setting, bearing in mind a range of factors including any environment or location issues for the specific needs of young people who will live there
- The setting is assessed as having potential to offer a huge opportunity to looked after young people who need to recover from trauma, complex trauma, and re-trauma and progress into adulthood
- Children have a right to experience care that is close to home
- The Council has a duty to arrange sufficient provision of accommodation for looked after young people

10. In the fullness of time 3 young people will be living at the home, it's a long-term home that will implement trauma informed approaches, and young people will be supported by therapy as per their needs. The Head Teacher for looked after young people will have oversight of their education, and the children will be supported to achieve the best outcomes possible in a nurturing and homely environment. Children's Services staff will visit children at the home, and care and support plans will be reviewed by an Independent Reviewing Officer.

11. An experienced registered manager has been appointed, and the home has been refurbished to a high standard that will meet with RISCA requirements. Staff have been appointed who will also be registered with SCW, and supported with training and supervision to ensure the care is in with the trauma recovery model. Each staffing shift has a minimum of 3 staff on duty between the hours of 7.30am – 11pm and 2 staff on duty between 11pm -7.30 am, with one of these being a awaking night. All staff are suitably experienced and have knowledge of the role and its responsibilities to safeguarding the young people. There is an on-call manager or senior on duty 24 hours a day who can be contacted to make any decisions for the home when needed.

12. The Responsible Individual will visit the home and provide quality of care reports to Care Inspectorate Wales (CIW) which will be viewed by Corporate Parenting Board, along with any CIW inspection reports.



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PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0250/08 (KL)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: Conservation and repair of the building, including refurbishment of the Auditorium, remodelling of the Entrance Foyer, Bar and Mezzanine, installation of new passenger lifts, WCs, Dressing Rooms, Changing Place, erection of a bin store and associated improvements to back of house areas
LOCATION: MUNICIPAL BUILDING, GELLIWASTAD ROAD, PONTYPRIDD, CF37 2DP
DATE REGISTERED: 15/03/2023
ELECTORAL DIVISION: Pontypridd Town

RECOMMENDATION: Approve, subject to conditions

REASONS: The proposal would enable the re-use of an historic and prominent building within Pontypridd Town Centre. The works would include a number of internal and external alterations which would improve both the overall visual appearance of the property and also the internal layout which would enable a more useable/accessible space. The works would also 'put right' a lot of the previous inappropriate interventions that have been carried out at the property. As such, it is not considered that the development would have any adverse impact upon the character and appearance of the site or the wider Pontypridd Conservation Area in which the site is set.

Furthermore, it is not considered that the development would have an adverse impact upon the amenity and privacy of any surrounding residential or commercial properties or upon highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the conservation and repair of the Grade II Listed Municipal Building which is located on Gelliwastad Road, Pontypridd.

The works would include:

- The remodelling of the entrance foyer to reinstate the historic entrance beneath the central tower. It would lead into a new, open and more generous foyer which would provide access into the bar, auditorium, a passenger lift and WCs.
- The provision of male and female WCs and an accessible WC at ground floor level.
- The provision of a 10-person passenger lift from the central foyer to the upper floor.
- The provision of a bar area in the former Sunday School with access off the central foyer. The space would be remodelled to sensitively unpick unsympathetic interventions and to reveal the original Gothic heritage, providing a flexible ground floor open plan space with a first-floor mezzanine above, which would be pulled back from the external walls to reveal the Gothic tracery windows. Two new openings would be created in the front elevation of the building which would 'open up' the bar area to the adjacent footway. The openings would be parallel with the existing Gothic tracery windows above.
- The refurbishment of the auditorium to remove all of the linings and suspended ceilings incorporated in the 1970s to reveal the original historic volume and Gothic features of the former Chapel. The space would provide for a flexible multi-purpose hall and performance space.
- The provision of a new fixed gallery at the rear of the auditorium, providing a permanent technical position for flexible event operation, fixed seating to increase overall capacity and dedicated wheelchair audience spaces and companion seats.
- The refurbishment of the existing 1980s rear extension in order to improve lighting, circulation and accessibility. The cill-levels of the windows within the rear elevation would be dropped (second floor) to increase natural light into the reconfigured offices and dressing rooms whilst new window openings would be created at ground and first floor. A new platform lift would also be provided to improve accessibility to all levels.
- The replacement of the existing windows to the east (front) and north (side) elevations with historically appropriate hardwood framed single-glazed window units (original leaded panes above arch springs to remain).
- The removal of the existing snow gates to the eastern and northern roof slopes. These would be replaced with slimline snow rails which are more discrete and which would return the eaves level of the building to its historic appearance.
- The removal and replacement of loading bay doors to the eastern elevation with an insulated panel and a digital screen.
- The infilling of the existing backstage door in the southern elevation with masonry.

- The creation of a new backstage door opening in the southern elevation (further along than the current opening).
- The replacement of hard cement render with lime-based render.
- The alteration of the existing access to the backstage area for deliveries, including landscaping and the replacement of existing fencing.
- The removal of wall fabric between the piers to create new openings between the auditorium and the 1980s extension. This would enable the provision of a moveable bar.
- The removal of modern partitions and installation of new walls in the former Sunday School to create a bar, kitchen and the ground floor WCs.
- The reconfiguration of the top stair flight and first floor landing to create access onto the newly created balcony.
- The removal of the suspended ceiling in the main hall and the installation of new service ducts to the length of the roof space.
- The installation of flush fitting solar panels to western roof pitch (main roof structure).
- The replacement of roof level plant.
- The replacement of a flat roof (below the plant) with a single ply membrane.
- The provision of a new bin storage area at the rear of the building.

In addition to the standard forms and plans, the application is accompanied by the following supporting documents:

- Design and Access Statement;
- Heritage Statement;
- Preliminary Ecological Appraisal;
- Transport Report;
- Noise Impact Assessment;
- Acoustic Design Report (Stage 3);
- Archaeological Desk-Based Assessment.

This application also relates to a separate application for Listed Building Consent, ref. 23/0251/12, which appears elsewhere on this agenda.

SITE APPRAISAL

The application site relates to a Grade II Listed Building which is situated in the town centre of Pontypridd. The building, which is known as the Muni Arts Centre, is located on the western side of Gelliwastad Road with Chapel Street to the northern elevation. The western boundary of the site is characterised by a high retaining wall with Pontypridd Goods Yard Car Park, the Bowls Centre and the railway line being sited beyond. The southern edge of the site lies adjacent to a single-track lane which forms the exit from the car park to the rear onto Gelliwastad Road.

The building was constructed in 1895 and functioned as the town's Wesleyan Chapel and an associated Sunday School for many decades. It later became a Municipal Hall and was converted to an arts centre in the 1980s. The building was Listed in 2001 for the architectural interest of its Gothic exterior and for its contribution to the impressive range of buildings on Gelliwastad Road, including the adjacent Municipal Buildings and St. Catherine's Church.

The immediate surrounding area is predominantly commercial in character however, it is noted that there are a number of residential uses in the wider vicinity, including student accommodation and flats above ground floor businesses on Gelliwastad Road and residential properties, which are located approximately 45m away to the south-west (Gelliwastad Court) and approximately 100m away on the opposite side of the train line to the north-west (Tyfica Crescent/Tyfica Road/Lanpark Road).

PLANNING HISTORY

The following planning applications are on record for this property:

23/0251	Municipal Gelliwastad Pontypridd	Building, Road,	Conservation and repair of the building, including refurbishment of the auditorium, remodelling of the entrance foyer, bar and mezzanine, installation of new passenger lifts, WCs, dressing rooms, changing place and associated improvements to back of house areas (Listed Building Consent)	Pending
10/0239	Municipal Gelliwastad Pontypridd	Building, Road,	Stone cleaning and repairs	Granted 21/06/10
03/2090	Municipal Gelliwastad Pontypridd	Building, Road,	Installation of two pole mounted ISM antenna (LBC)	Unknown 08/03/04
03/2087	Municipal Gelliwastad Pontypridd	Building, Road,	Installation of two pole mounted ISM antenna	Granted 15/03/04

03/0040	Municipal Gelliwastad Pontypridd	Building, Road,	Proposed development of existing garden area and the provision of a mosaic mural to former window end	Refused 04/04/03
02/0211	Municipal Gelliwastad Pontypridd	Building, Road,	Refurbishment of footlights bar to include ventilation, lighting, ceiling and redecoration	Permission Not Required 08/05/02
97/2683	Municipal Gelliwastad Pontypridd	Building, Road,	Fascia sign	Granted 17/11/97
933/0657	Municipal Gelliwastad Pontypridd	Building, Road,	Main external sign	Granted 26/10/93

PUBLICITY

The application has been advertised by means of direct neighbour notification, through the erection of a number of site notices in the vicinity of the site and through the publishing of a press notice in a local newspaper. No letters of objection or representation have been received.

CONSULTATION

The following consultation responses have been received and are summarised as follows:

Countryside, Landscape, Ecology: No objection, conditions recommended for pre-commencement precautionary method statement for bats and nesting birds, and for biodiversity enhancement measures to specifically include provision of swift nesting boxes within or on the building.

Flood Risk Management: The development does not appear to propose any construction works that will result in a change in the structure's external footprint and there would be no change to the external hardstanding within the site. As such, the Lead Local Flood Authority does not envisage an alteration of the site's surface water discharge rate and no objection is raised.

Highways and Transportation: No objection, condition recommended.

Historic Buildings and Places: No objection. Much of the work proposed will remove and reorganise later additions and installations, mainly from the 1980s conversion to an arts centre. Overall, this proposal will better reveal the historic features within the building.

Natural Resources Wales: No objection. The Preliminary Ecological Appraisal submitted with the application identifies that bats are unlikely to be present at the site.

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

Theatres Trust: No objection. The works are welcomed and we are keen to see the building return to use and for theatre and performance provision in Pontypridd to be reinstated. The proposal presents a significant improvement in accessibility and inclusivity for performers and staff whilst the interventions are sensitive to the historic significance of the building.

Welsh Water: No objection, condition recommended to ensure surface water does not drain directly or indirectly to the public sewerage system.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located within the defined settlement boundary for Pontypridd. The building has also been identified as a Grade II Listed Building which is set within the Pontypridd Conservation Area. The following policies are considered to be relevant in the determination of this application:

Policy CS2 (Development in the South): sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW2 (Sustainable Locations): advises that development proposals on non-allocated sites will only be supported in sustainable locations.

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

Policy AW6 (Design and Placemaking): requires development to involve a high quality design and to make a positive contribution to placemaking, including landscaping.

Policy AW7 (Protection and Enhancement of the Built Environment): advises that proposals which impact upon sites of architectural and/or historical merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 (Protection and Enhancement of the Natural Environment): advises that the natural heritage of RCT will be preserved and enhanced by protecting it from inappropriate development.

Policy AW10 (Environmental Protection and Public Health): development proposals must overcome any harm to public health, the environment or local amenity.

Policy SSA1 (Development in the Principal Town of Pontypridd): states that proposals within the defined town centre of Pontypridd will be supported where they make a positive contribution to the townscape and respect the culture and heritage of Pontypridd.

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.

Supplementary Planning Guidance

Design and Placemaking
The Historic Built Environment
Nature Conservation
Planning Obligations
Access Circulation and Parking

National Guidance

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

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

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

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

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
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 relates to the conservation and restoration of a Grade II Listed Building that is located within settlement limits and in close proximity to Pontypridd Town Centre. As a result of its location, the site is situated within a highly sustainable location with good connections to both local facilities and services, including access to sustainable modes of transport with both a train and bus station within easy walking distance.

The building has been operated as an important venue for arts and culture for a number of decades however, due to financial constraints and lack of investment, the building suffered decline and eventually closed its doors in 2018. The Local Authority recognises the importance of this building as a cultural facility to the community and visitors to the region and a new lease agreement with an experienced third sector venue operating company (Awen Cultural Trust) has been reached. It is acknowledged that the building will need investment to give it a new lease of life and to reflect both the value and significance of Pontypridd's arts and culture in the quality of the facilities provided. As such, the proposal under consideration in this application would primarily help to facilitate the re-use of the building as an important arts and cultural facility by upgrading the existing facilities and providing a better internal layout to improve its usability and accessibility for both staff and visitors.

Consequently, the proposal would enable and encourage the re-use of an existing prominent building that is located within a highly sustainable location and it is therefore considered acceptable in principle, subject to the matters set out below.

Character, appearance and design

The proposed works would involve both internal and external alterations to the building however, it is not considered that the proposed works would have an adverse impact upon the character and appearance of the application property or upon the character and appearance of the wider Pontypridd Conservation Area in which the application property is set.

Both Policy AW7 and Supplementary Planning Guidance: The Historic Built Environment set out a range of criteria which must be taken into account when assessing applications for development in conservation areas. The guidance states that proposals in and adjacent to conservation areas should avoid harming the character and appearance of those areas and should, where possible, positively enhance them.

In assessing this application it is considered that the proposed external works would vastly improve the external appearance of the property and positively contribute to its history and architectural quality as a Grade II Listed Building. The proposal would reverse some of the less positive interventions which have been carried out at the property in previous years/decades and would essentially improve the overall visual appearance of the building. The development would therefore have a positive impact upon the property and would enhance the character and appearance of the Pontypridd Conservation Area.

The more modern, contemporary additions, particularly the proposed solar panels, would be both distinct and reversible and whilst the installation of the solar panels on a Listed Building is not considered to be ideal, their overall impact would be mitigated by their position on the rear roof slope which would mainly be visible from the Goods Yard Car Park and the Bowls Centre (which are both outside of the Conservation Area), and the net benefit they provide in terms of energy efficiency and the 'future-proofing' of the project. On balance, it is not considered that the proposed solar panels would have an adverse impact either upon the existing building or upon the Pontypridd Conservation Area.

Consequently, it is considered that the proposal would have a positive and restorative impact on the special historical and architectural qualities of the Listed Building and would provide a valuable regeneration of a key building within Pontypridd Town Centre and in the wider community. The works would further improve the overall visual appearance of the building which would improve its visual impact within the Pontypridd Conservation Area and as such, the application would comply with Policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

Impact on the Listed Building and Other Listed Buildings in the Vicinity

The impact of the works on the Listed Building at the application site is fully considered in the associated Listed Building Consent application which appears elsewhere on this agenda (23/0251/12). It is therefore not necessary to consider this issue further in this report.

It is, however, noted that the application site is located in close proximity to a number of other Listed Buildings on Gelliwastad Road, including the adjacent Municipal Building immediately to the north-east (the Registry Office) and St. David's Church in Wales, the United Church and St. Catherine's Church, which are all located further long Gelliwastad Road. The proposed external works are considered to be relatively minor to the front and side elevations which front onto Gelliwastad Road and Chapel Street and, as indicated in the previous section of this report, are considered to improve the appearance of the application property. Therefore, given the minor and sympathetic nature of the proposed works, it is not considered that the development would have an adverse impact upon the setting of the other nearby Listed Buildings.

Residential amenity and privacy

The application site is situated on the outskirts of Pontypridd Town Centre with the majority of properties in the immediate vicinity of the site being commercial in nature. However, it is noted that there are a number of residential properties located in the wider vicinity, including student accommodation and flats above businesses on Gelliwastad Road and residential properties in Gelliwastad Court, Tyfica Crescent, Tyfica Road and Lanpark Road. It will therefore be important to consider the potential impact of the proposal upon the amenity and privacy of surrounding residential properties.

The scheme would consist of a number of internal and external alterations however, the overall scale and design of the building would remain the same with the external works being limited to the alteration of a number of windows and doors, the installation of solar panels to the rear roof slope, the replacement of existing plant at roof level, the provision of a bin store to the rear and other repairs and cosmetic work to the external facades. Given the position of the site and its relationship with neighbouring buildings, it is not considered that the physical aspects of the proposed works would have any adverse impact upon the amenity and privacy of existing properties surrounding the site.

It is noted that the use of the site would be multi-functional with some potential for noise to emanate from the building as a result of any event or performance being held there. Whilst this application does not seek to change the use of the building and the overall use of the building would remain the same, it is noted that some of the changes proposed within this application could affect the level of noise currently (or previously) experienced by neighbouring properties (i.e. the changes to the windows/removal of

the suspended ceiling in the main hall etc.). The application is therefore accompanied by a Noise Impact Assessment which has been reviewed by the Council's Public Health and Protection team.

The Noise Impact Assessment report concludes that noise break-out from music events held at the site is likely to cause adverse impacts at nearby noise sensitive receptors, which includes residential properties to the north-west and south and south-west. However, the report considers that with the adoption of the mitigation measures set out in Section 6 of the report (upgrades to windows and doors, the implementation of the noise management plan specified and the use of a mechanical ventilation system) the effect of noise break-out on nearby residences is likely to be reduced in comparison to the existing arrangement.

The report further considers the noise implications of the replacement plant that is proposed to be installed at the site and concludes that plant noise emissions are unlikely to result in significant adverse impacts upon surrounding properties.

In light of the findings of the noise report, the lack of any objection from the Council's Public Health and Protection team and the nature of the overall scheme, it is not considered that the development would have an adverse impact upon the amenity and privacy of surrounding properties.

Access and highway safety

The application has been assessed by the Council's Highways and Transportation section and no objection is raised in respect of the potential impact of the proposal upon highway safety in the vicinity of the site. The comments received are summarised as follows:

Access

The application property is served off Gelliwastad Road which provides parking restrictions on either side of the carriageway and a bus lane immediately to the front. The property is also accessed via Chapel Street and vehicular access is proposed via the public car park to the rear.

The proposal includes new pedestrian access to the proposed bar via Gelliwastad Road however, the submitted drawings indicate that the proposed doors will open out over the footway which is likely to cause obstruction. While concern is raised in this regard a suitably worded condition could be imposed to ensure that the doors open inwards to prevent obstruction.

Proposed Footway

The proposal includes an extension of the footway along Gelliwastad Road which is not envisaged to have any detrimental impact on highway or pedestrian safety.

However, a condition is recommended for details of the footway to be submitted to and approved by the Local Planning Authority.

Parking

The proposed internal alterations are not envisaged to generate any additional on-street parking and additional off-street parking and loading bays would be provided to the rear of the building, which is considered acceptable.

Cycle Storage

The proposal includes the provision of 6 no. cycle stands to the front of the property, along the footway of Gelliwastad Road, which promotes sustainable modes of transport, and which is considered acceptable. A condition is recommended for design and detail of the works within the public footway to be submitted to and approved by the Local Planning Authority.

In light of the comments received from the Council's Highways and Transportation section, the application is considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other:

Ecology

The application is supported by a Preliminary Ecological Appraisal (PEA) which has been reviewed by both the Council's Ecologist and NRW. The report indicates that there are a number of external features which have the potential to support roosting bats however, an assessment of the building revealed that the roof and walls were predominantly sealed and in good condition with no cracks or crevices suitable for bat roosting. As a result of this, the building was concluded to have negligible potential to support roosting bats however, it is noted that bat absence is very difficult to prove definitively due to their mobility and size, and single or small numbers of bats are able to roost in extremely small spaces.

The PEA concludes that the demolition works are all to be carried out within the building and will not have bat roost impacts on any of the external features with roost potential, and that any residual impacts can be mitigated through the application of precautionary measures, with no requirement for further survey or species licensing. The SewBrec search does not identify any existing known bat roost from the building, although it is noted that Pipistrelle roosts occur elsewhere within Pontypridd Town Centre.

Neither the Council's Ecologist or NRW have raised any concerns in relation to the PEA however, the Council's Ecologist recommends that two conditions be imposed upon any grant of planning permission for details of a pre-commencement

precautionary method statement for construction and also for biodiversity enhancement measures to include provision of swift nesting boxes within or on the building.

In light of the comments received from the Council's Ecologist and NRW, the proposal is considered to be acceptable in this regard and the application would comply with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The proposal would enable the reuse of an historic and prominent building within Pontypridd Town Centre. The works would entail a number of internal and external alterations which would improve the overall visual appearance of the property and also the internal layout which would enable a more useable/accessible space. The works would also 'put right' a lot of the previous inappropriate interventions that have been carried out at the property. As such, it is not considered that the development would have any adverse impact upon the character and appearance of the site or the wider Pontypridd Conservation Area in which the site is set.

Furthermore, it is not considered that the development would have an adverse impact upon the amenity and privacy of any surrounding residential or commercial properties or upon highway safety in the vicinity of the site.

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 plans and other documents received on 6th March 2023 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. MUNI-PUR-00-XX-DR-A-1000: Site Location Plan
- Drawing No. MUNI-PUR-00-XX-DR-A-1001: Site Sections

- Drawing No. MUNI-PUR-00-RF-DR-A-1013: Existing Plan with Fabric Repairs – Level RF
- Drawing No. MUNI-PUR-00-00-DR-A-1050: Proposed Site Plan
- Drawing No. MUNI-PUR-00-00-DR-A-1300: Demolition Plan – Level Ground Floor
- Drawing No. MUNI-PUR-00-01-DR-A-1301: Demolition Plan – Level 01
- Drawing No. MUNI-PUR-00-02-DR-A-1302: Demolition Plan – Level 02
- Drawing No. MUNI-PUR-00-RF-DR-A-1303: Demolition Plan – Level RF
- Drawing No. MUNI-PUR-00-XX-DR-A-1320: Demolition Elevation – North
- Drawing No. MUNI-PUR-00-XX-DR-A-1321: Demolition Elevation – East
- Drawing No. MUNI-PUR-00-XX-DR-A-1322: Demolition Elevation – South
- Drawing No. MUNI-PUR-00-XX-DR-A-1323: Demolition Elevation – West
- Drawing No. MUNI-PUR-00-00-DR-A-2010: GA Plan – Level GF
- Drawing No. MUNI-PUR-00-01-DR-A-2011: GA Plan – Level 01
- Drawing No. MUNI-PUR-00-02-DR-A-2012: GA Plan – Level 02
- Drawing No. MUNI-PUR-00-RF-DR-A-2013: GA Plan – Level RF
- Drawing No. MUNI-PUR-00-XX-DR-A-2100: Proposed Elevation - North
- Drawing No. MUNI-PUR-00-XX-DR-A-2101: Proposed Elevation – East
- Drawing No. MUNI-PUR-00-XX-DR-A-2102: Proposed Elevations – South
- Drawing No. MUNI-PUR-00-XX-DR-A-2103: Proposed Elevations – West
- Drawing No. MUNI-PUR-00-XX-DR-A-2200: Proposed Section – 1
- Drawing No. MUNI-PUR-00-XX-DR-A-2201: Proposed Section – 2
- Drawing No. MUNI-PUR-00-XX-DR-A-2202: Proposed Section – 3
- Drawing No. MUNI-PUR-00-XX-DR-A-2220: Detail Section Through Auditorium
- Drawing No. MUNI-PUR-00-XX-DR-A-2221: Detail Section Through Bar East Elevation
- Drawing No. MUNI-PUR-00-XX-DR-A-5010: Auditorium Roof Build-Up Details
- Drawing No. 2417-QODA-00-00-DR-E-0501 PO3: Electrical Services Lighting Ground Floor
- Drawing No. 01.0500 P2: Proposed Drainage Layout

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

3. The development hereby permitted shall be carried out in accordance with the Noise Impact Assessment by Formant (Doc Ref. P1099/REP01, dated 09/02/23).

Reason: In the interests of residential amenity, in accordance with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the submitted plans, development shall not commence until design and details of works within the public footway including the cycle stands, extension of footway and proposed doors to bar seating area to open inwards have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial use.

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

5. No development shall commence until a Precautionary Method Statement for bats and nesting birds prior to construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of bats and nesting birds, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted details, no works shall commence, including any site clearance works, until a scheme for ecological mitigation and enhancement has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of Planning Policy Wales.

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PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0251/12 (KL)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: Conservation and repair of the building, including refurbishment of the Auditorium, remodelling of the Entrance Foyer, Bar and Mezzanine, installation of new passenger lifts, WCs, Dressing Rooms, Changing Place and associated improvements to back of house areas (Listed Building Consent)
LOCATION: MUNICIPAL BUILDING, GELLIWASTAD ROAD, PONTYPRIDD, CF37 2DP
DATE REGISTERED: 10/03/2023
ELECTORAL DIVISION: Pontypridd Town

RECOMMENDATION: Approve, subject to conditions and subject to a favourable referral to Cadw.

REASONS: The works would be sympathetic and consistent with the special historic and architectural importance of the Listed Building and would have no adverse impact on its special significance.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Listed Building Consent is sought for the conservation and repair of the Grade II Listed Municipal Building which is located on Gelliwastad Road, Pontypridd.

The works would include:

- The remodelling of the entrance foyer to reinstate the historic entrance beneath the central tower. It would lead into a new, open and more generous foyer which would provide access into the bar, auditorium, a passenger lift and WCs.

- The provision of male and female WCs and an accessible WC at ground floor level.
- The provision of a 10-person passenger lift from the central foyer to the upper floor.
- The provision of a bar area in the former Sunday School with access off the central foyer. The space would be remodelled to sensitively unpick unsympathetic interventions and to reveal the original Gothic heritage, providing a flexible ground floor open plan space with a first-floor mezzanine above, which would be pulled back from the external walls to reveal the Gothic tracery windows. Two new openings would be created in the front elevation of the building which would 'open up' the bar area to the adjacent footway. The openings would be parallel with the existing Gothic tracery windows above.
- The refurbishment of the auditorium to remove all of the linings and suspended ceilings incorporated in the 1970s to reveal the original historic volume and Gothic features of the former Chapel. The space would provide for a flexible multi-purpose hall and performance space.
- The provision of a new fixed gallery at the rear of the auditorium, providing a permanent technical position for flexible event operation, fixed seating to increase overall capacity and dedicated wheelchair audience spaces and companion seats.
- The refurbishment of the existing 1980s rear extension in order to improve lighting, circulation and accessibility. The cill-levels of the windows within the rear elevation would be dropped (second floor) to increase natural light into the reconfigured offices and dressing rooms whilst new window openings would be created at ground and first floor. A new platform lift would also be provided to improve accessibility to all levels.
- The replacement of the existing windows to the east (front) and north (side) elevations with historically appropriate hardwood framed single-glazed window units (original leaded panes above arch springs to remain).
- The removal of the existing snow gates to the eastern and northern roof slopes. These would be replaced with slimline snow rails which are more discrete and which would return the eaves level of the building to its historic appearance.
- The removal and replacement of loading bay doors to the eastern elevation with an insulated panel and a digital screen.
- The infilling of the existing backstage door in the southern elevation with masonry.
- The creation of a new backstage door opening in the southern elevation (further along than the current opening).
- The replacement of hard cement render with lime-based render.
- The alteration of the existing access to the backstage area for deliveries, including landscaping and the replacement of existing fencing.
- The removal of wall fabric between the piers to create new openings between the auditorium and the 1980s extension. This would enable the provision of a moveable bar.
- The removal of modern partitions and installation of new walls in the former Sunday School to create a bar, kitchen and the ground floor WCs.

- The reconfiguration of the top stair flight and first floor landing to create access onto the newly created balcony.
- The removal of the suspended ceiling in the main hall and the installation of new service ducts to the length of the roof space.
- The installation of flush fitting solar panels to western roof pitch (main roof structure).
- The replacement of roof level plant.
- The replacement of a flat roof (below the plant) with a single ply membrane.
- The provision of a new bin storage area at the rear of the building.

In addition to the standard forms and plans, the application is accompanied by the following supporting documents:

- Design and Access Statement;
- Heritage Statement;
- Preliminary Ecological Appraisal;
- Transport Report;
- Noise Impact Assessment;
- Acoustic Design Report (Stage 3);
- Archaeological Desk-Based Assessment.

This application also relates to a separate application for full planning permission, ref. 23/0250/10, which appears elsewhere on this agenda.

SITE APPRAISAL

The application site relates to a Grade II Listed Building which is situated in the town centre of Pontypridd. The building, which is known as the Muni Arts Centre, is located on the western side of Gelliwastad Road with Chapel Street to the northern elevation. The western boundary of the site is characterised by a high retaining wall with Pontypridd Goods Yard Car Park, the Bowls Centre and the railway line being sited beyond. The southern edge of the site lies adjacent to a single-track lane which forms the exit from the car park to the rear onto Gelliwastad Road.

The building was constructed in 1895 and functioned as the town's Wesleyan Chapel and an associated Sunday School for many decades. It later became a Municipal Hall and was converted to an arts centre in the 1980s. The building was Listed in 2001 for the architectural interest of its Gothic exterior and for its contribution to the impressive range of buildings on Gelliwastad Road, including the adjacent Municipal Buildings and St. Catherine's Church.

The immediate surrounding area is predominantly commercial in character however, it is noted that there are a number of residential uses in the wider vicinity, including student accommodation and flats above ground floor businesses on Gelliwastad Road and residential properties, which are located approximately 45m away to the south-

west (Gelliwastad Court) and approximately 100m away on the opposite side of the train line to the north-west (Tyfica Crescent/Tyfica Road/Lanpark Road).

PLANNING HISTORY

The following planning applications are on record for this property:

23/0250	Municipal Gelliwastad Pontypridd	Building, Road,	Conservation and repair of the building, including refurbishment of the auditorium, remodelling of the entrance foyer, bar and mezzanine, installation of new passenger lifts, WCs, dressing rooms, changing place and associated improvements to back of house areas	Pending
10/0239	Municipal Gelliwastad Pontypridd	Building, Road,	Stone cleaning and repairs	Granted 21/06/10
03/2090	Municipal Gelliwastad Pontypridd	Building, Road,	Installation of two pole mounted ISM antenna (LBC)	Unknown 08/03/04
03/2087	Municipal Gelliwastad Pontypridd	Building, Road,	Installation of two pole mounted ISM antenna	Granted 15/03/04
03/0040	Municipal Gelliwastad Pontypridd	Building, Road,	Proposed development of existing garden area and the provision of a mosaic mural to former window end	Refused 04/04/03
02/0211	Municipal Gelliwastad Pontypridd	Building, Road,	Refurbishment of footlights bar to include ventilation, lighting, ceiling and redecoration	Permission Not Required 08/05/02
97/2683	Municipal Gelliwastad Pontypridd	Building, Road,	Fascia sign	Granted 17/11/97
933/0657	Municipal Gelliwastad Pontypridd	Building, Road,	Main external sign	Granted 26/10/93

PUBLICITY

The application has been advertised by means of direct neighbour notification, through the erection of a number of site notices in the vicinity of the site and through the publishing of a press notice in a local newspaper. No letters of objection or representation have been received.

CONSULTATION

The following consultation responses have been received:

Joint Committee of the National Amenity Societies:

Historic Buildings and Places

No objection. Much of the work proposed will remove and reorganise later additions and installations, mainly from the 1980s conversion to an arts centre. Overall, this proposal will better reveal the historic features within the building.

Theatres Trust: No objection. It is considered that by enabling the Muni's return to active use and supporting its ongoing sustainability, this will support the asset's ongoing conservation. The proposed interventions are sensitive to the historic significance of the building and they would generate substantial public benefits through making the venue more inclusive and enhancing the cultural and social well-being of local people.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located within the defined settlement boundary for Pontypridd. The building has also been identified as a Grade II Listed Building which is set within the Pontypridd (Taff) Conservation Area. The following policies are considered to be relevant in the determination of this application:

Policy CS2 (Development in the South): sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW2 (Sustainable Locations): advises that development proposals on non-allocated sites will only be supported in sustainable locations.

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

Policy AW6 (Design and Placemaking): requires development to involve a high quality design and to make a positive contribution to placemaking, including landscaping.

Policy AW7 (Protection and Enhancement of the Built Environment): advises that proposals which impact upon sites of architectural and/or historical merit will only be

permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

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.

Supplementary Planning Guidance

The Historic Built Environment

National Guidance

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

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

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

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 24: The Historic Environment

REASONS FOR REACHING THE RECOMMENDATION

Section 16(2) Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Main Issues:

Acceptability of the proposed development on the special architectural and historic merit of the Listed Building

The application is well detailed and benefits from undergoing RIBA level 1, 2 and 3. It is also understood that extensive pre-application consultation has been undertaken with stakeholders and Cadw prior to this application being submitted. This has resulted in a thorough understanding of the building and the works previously undertaken at the site and an evaluation of the options has resulted in the formulation of a truly bespoke solution based on that analysis.

It is considered that the option appraisal has been very competently applied and the resultant scheme would make a significant contribution to the history and architectural quality of the building. The works proposed would reverse some of the less appropriate works undertaken previously at the site and would allow greater understanding and appreciation of the interior features and spaces. The works would offer a vibrant and productive use of the premises from an operator with a proven track record of delivering quality facilities, to the benefit of the town, the wider community of RCT and visitors to the region.

The modern, contemporary additions, particularly the proposed solar panels would be both distinct and reversible and whilst they are not ideal, their impact is mitigated by their position on the rear of the building and also the net benefit they would provide in terms of efficiency and the 'future-proofing' of the project. On balance, the proposed installation of solar panels at the property is considered acceptable however, it is considered necessary to impose a planning condition for the submission of a detailed method statement for their installation and removal.

Consequently, it is considered that the proposal would have a positive and restorative impact on the special historical and architectural qualities of the Listed Building and

would provide valuable regeneration of a key building within the town and wider community, to its cultural and financial benefit.

Conclusion

The application seeks to make a number of internal and external improvements to a Listed Building which are considered to have a positive and restorative impact on the special historical and architectural qualities of the building. Overall, the proposed works are considered in keeping with the character of the existing building and the proposed alterations are therefore acceptable.

RECOMMENDATION: Approve, subject to conditions and subject to a favourable referral to Cadw

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and other documents received on 6th March 2023 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. MUNI-PUR-00-XX-DR-A-1000: Site Location Plan
- Drawing No. MUNI-PUR-00-XX-DR-A-1001: Site Sections
- Drawing No. MUNI-PUR-00-RF-DR-A-1013: Existing Plan with Fabric Repairs – Level RF
- Drawing No. MUNI-PUR-00-00-DR-A-1050: Proposed Site Plan
- Drawing No. MUNI-PUR-00-00-DR-A-1300: Demolition Plan – Level Ground Floor
- Drawing No. MUNI-PUR-00-01-DR-A-1301: Demolition Plan – Level 01
- Drawing No. MUNI-PUR-00-02-DR-A-1302: Demolition Plan – Level 02
- Drawing No. MUNI-PUR-00-RF-DR-A-1303: Demolition Plan – Level RF
- Drawing No. MUNI-PUR-00-XX-DR-A-1320: Demolition Elevation – North
- Drawing No. MUNI-PUR-00-XX-DR-A-1321: Demolition Elevation – East
- Drawing No. MUNI-PUR-00-XX-DR-A-1322: Demolition Elevation – South
- Drawing No. MUNI-PUR-00-XX-DR-A-1323: Demolition Elevation – West
- Drawing No. MUNI-PUR-00-00-DR-A-2010: GA Plan – Level GF
- Drawing No. MUNI-PUR-00-01-DR-A-2011: GA Plan – Level 01
- Drawing No. MUNI-PUR-00-02-DR-A-2012: GA Plan – Level 02
- Drawing No. MUNI-PUR-00-RF-DR-A-2013: GA Plan – Level RF
- Drawing No. MUNI-PUR-00-XX-DR-A-2100: Proposed Elevation - North

- Drawing No. MUNI-PUR-00-XX-DR-A-2101: Proposed Elevation – East
- Drawing No. MUNI-PUR-00-XX-DR-A-2102: Proposed Elevations – South
- Drawing No. MUNI-PUR-00-XX-DR-A-2103: Proposed Elevations – West
- Drawing No. MUNI-PUR-00-XX-DR-A-2200: Proposed Section – 1
- Drawing No. MUNI-PUR-00-XX-DR-A-2201: Proposed Section – 2
- Drawing No. MUNI-PUR-00-XX-DR-A-2202: Proposed Section – 3
- Drawing No. MUNI-PUR-00-XX-DR-A-2220: Detail Section Through Auditorium
- Drawing No. MUNI-PUR-00-XX-DR-A-2221: Detail Section Through Bar East Elevation
- Drawing No. MUNI-PUR-00-XX-DR-A-5010: Auditorium Roof Build-Up Details
- Drawing No. 2417-QODA-00-00-DR-E-0501 PO3: Electrical Services Lighting Ground Floor
- Drawing No. 01.0500 P2: Proposed Drainage Layout

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

3. Prior to commencement of development, a detailed method statement for the installation and removal of the solar panels hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that there would be no adverse impact upon the Listed Building in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0335/10 (HB)
APPLICANT: Mr Hughes
DEVELOPMENT: Proposed rear garage
LOCATION: 237 BRITHWEUNYDD ROAD, TREALAW,
TONYPANDY, CF40 2PB
DATE REGISTERED: 04/04/2023
ELECTORAL DIVISION: Trealaw

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW

REASONS: The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the potential impact it would have upon the amenity and privacy of the neighbouring residential properties. It is also considered there would be no undue impact upon pedestrian and highway safety in the vicinity.

REASON APPLICATION REPORTED TO COMMITTEE

- The applicant is a serving Elected Member.

APPLICATION DETAILS

Full planning permission is sought for the following at 237 Brithweunydd Road, Trealaw:

- Construction of a domestic garage adjacent to the rear curtilage boundary measuring approximately 4.6m in width, 4.7m in depth and maximum ridge height of 2.9m. A roller shutter door with a width of 2.7m would provide access to the adjacent lane, with a window and access door within the rear garden.
- Engineering works including access steps from the garage to the rear garden approximately 0.9m in height and 1.3m in width.

SITE APPRAISAL

The application property is a mid-terraced, two-storey dwelling located within a residential area of Trealaw. The dwelling is set within a rectangular shaped plot and is

set back from the highway by a small enclosed front garden. A further enclosed garden is located to the rear of the property.

The property adjoins no. 236 Brithweunydd Road to the south-east and no. 238 to the north-west. An adopted rear lane adjoins the rear boundary to the south-west. The lane serves nos. 230-276 Brithweunydd Road and the rear gardens of properties along New Century Street.

There are numerous examples of garages of various styles and designs to the rear of Brithweunydd Road and New Century Street.

It is noted that application reference 23/0337/10 for a garage at 236 Brithweunydd Road has been submitted in conjunction with this application.

PLANNING HISTORY

17/0896/39	Non material amendment for a proposed change to size of window in 1st floor extension (rear elevation) reducing from 2 windows to 1 window. New window inside elevation (obscure glaze) and sun light tunnel in relocated bathroom.	Granted	24/08/2017
17/0744/10	Proposed additional 2.8m single storey extension to be added to an already approved two storey extension.	Granted	24/08/2017
17/0175/10	Proposed two storey extension.	Granted	22/03/2017

PUBLICITY

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

No letters of support or objection have been received.

CONSULTATION

Highways and Transportation – no objection subject to conditions in respect of the garage apron tie-ins and the use being restricted to domestic purposes.

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 a settlement boundary.

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

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

Supplementary Planning Guidance

- A design guide for householder development

National Guidance

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

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

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the construction of a garage within the curtilage of an existing dwelling for domestic use in association with that dwelling. 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 garage is considered acceptable in terms of its scale, design, and overall visual appearance. The garage would be sited with the least impact upon neighbouring properties at the rear of the site, and would be similar in scale, design and appearance to many other garages within the lane between Brithweunydd Road and New Century Street. It would also be subservient to the host dwelling and would not dominate any façade.

Therefore, the garage is considered not to detract from the character and appearance of the area and acceptable in this regard.

Impact on residential amenity and privacy

It is not considered the proposed garage would have a significant impact upon the amenities of the surrounding neighbouring properties for the following reasons:

The building would be sited at the rear of the curtilage of the dwelling away from the rear elevations of the adjoining properties ensuing there would be no loss of outlook. Number 236 has a mirror planning application under consideration which if approved, would ensure no overbearing or overshadowing impact would occur to this property.

Furthermore, given the relatively minor single storey height and footprint of the proposed garage, it is not considered any undue impacts would occur to number 238.

There are no side windows proposed and therefore no concerns are raised with regards to privacy.

However, to ensure the development is preserved as amenity space ancillary to the host dwelling a condition is suggested below to restrict the garage to domestic use associated with the main dwelling only.

Lastly, it is noted that no letters of objection or representation have been received from the occupants of neighbouring properties.

It is therefore considered the proposed garage would not be harmful to the amenity and privacy of surrounding neighbouring properties and the application complies with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highways

The Council's Highways and Transportation department have been consulted and are satisfied, subject to conditions regarding the usage and apron tie-ins being included with any decision. The conditions are considered reasonable and necessary and are therefore set out below.

In light of the above, the proposal is considered acceptable in terms of highway safety.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. Additionally, it is not considered there would be any undue impact upon highway safety in the vicinity. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

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(s) and documents received by the Local Planning Authority on 24/03/2023 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Application form dated 24/03/2023
- Existing Plans, Elevations and location plan: WH.QAR/01
- Proposed Plans and Elevations: WH.QAR/02

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

3. The garage, hereby approved, shall be used only for purposes ancillary and incidental to the use of the dwelling house known as 237 Brithweunydd Road. At no time shall it be converted to independent living accommodation, and no business shall be carried out from therein.

Reason: The garage would be unacceptable for independent residential or commercial use and to protect the amenities of the residents of the occupiers of adjoining properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to any development works commencing on site, other than preparation works, design and detail of the garage entrance apron and tie-in with the adopted lane shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial use of the garage.

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

PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0337/10 (HB)
APPLICANT: Mr Hughes
DEVELOPMENT: Proposed Rear Garage
LOCATION: 236 BRITHWEUNYDD ROAD, TREALAW,
TONYPANDY, CF40 2PB
DATE REGISTERED: 04/04/2023
ELECTORAL DIVISION: Trealaw

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW

REASONS: The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the potential impact it would have upon the amenity and privacy of the neighbouring residential properties. It is also considered there would be no undue impact upon pedestrian and highway safety in the vicinity.

REASON APPLICATION REPORTED TO COMMITTEE

- The applicant is a serving Elected Member.

APPLICATION DETAILS

Full planning permission is sought for the following at 236 Brithweunydd Road, Trealaw:

- Construction of a domestic garage adjacent to the rear curtilage boundary measuring approximately 4.6m in width, 4.7m in depth and maximum ridge height of 2.9m. A roller shutter door with a width of 2.7m would provide access to the adjacent lane, with a window and access door within the rear garden.
- Engineering works including access steps from the garage to the rear garden approximately 1.1m in height and 1.3m in width.

SITE APPRAISAL

The application property is a mid-terraced, two-storey dwelling located within a residential area of Trealaw. The dwelling is set within a rectangular shaped plot and is

set back from the highway by a small enclosed front garden. A further enclosed garden is located to the rear of the property.

The property adjoins no. 235 Brithweunydd Road to the south-east and no. 237 to the north-west. An adopted rear lane adjoins the rear boundary to the south-west. The lane serves nos. 230-276 Brithweunydd Road and the rear gardens of properties along New Century Street.

There are numerous examples of garages of various styles and designs to the rear of Brithweunydd Road and New Century Street.

It is noted that application reference 23/0336/10 for a garage at 237 Brithweunydd Road has been submitted in conjunction with this application.

PLANNING HISTORY

21/0974/10	Two storey rear extension.	Granted	18/08/2021
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PUBLICITY

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

No letters of support or objection have been received.

CONSULTATION

Highways and Transportation – no objection subject to conditions in respect of the garage apron tie-ins and the use being restricted to domestic purposes only.

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 a settlement boundary.

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

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

Supplementary Planning Guidance

- A design guide for householder development

National Guidance

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

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

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

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

Main Issues:

Principle of the proposed development

The application relates to the construction of a garage within the curtilage of an existing dwelling for domestic use in association with that dwelling. 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 garage is considered acceptable in terms of its scale, design, and overall visual appearance. The garage would be sited with the least impact upon neighbouring properties at the rear of the site, and would be similar in scale, design and appearance to many other garages within the lane between Brithweunydd Road and New Century Street. It would also be subservient to the host dwelling and would not dominate any façade.

Therefore, the garage is considered not to detract from the character and appearance of the area and acceptable in this regard.

Impact on residential amenity and privacy

It is not considered the proposed garage would have a significant impact upon the amenities of the surrounding neighbouring properties for the following reasons:

The building would be sited at the rear of the curtilage of the dwelling away from the rear elevations of the adjoining properties ensuring there would be no loss of outlook. Number 235 has a similar outbuilding directly adjacent to where the proposed garage would be sited and as such no overshadowing or overbearing impacts would occur here. Furthermore, number 237 has a current application for an identical garage to that proposed at this site directly adjacent which if approved, would ensure no impacts would occur here either.

There are no side windows proposed and therefore no concerns are raised with regards to privacy. To ensure the development is preserved as amenity space ancillary to the host dwelling a condition is suggested below to restrict the garage to domestic use associated with the main dwelling only.

Lastly, it is noted that no letters of objection or representation have been received from the occupants of neighbouring properties.

It is therefore considered the proposed garage would not be harmful to the amenity and privacy of surrounding neighbouring properties and the application complies with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Highways

The Council's Highways and Transportation department have been consulted and are satisfied, subject to conditions regarding the usage and apron tie-ins being included with any decision. The conditions are considered reasonable and necessary and are therefore set out below.

In light of the above, the proposal is considered acceptable in terms of highway safety.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. Additionally, it is not considered there would be any undue impact upon highway safety in the vicinity. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 and AW6).

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(s) and documents received by the Local Planning Authority on 24/03/2023 and 04/05/2023 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Application form dated 24/03/2023

- Existing Plans, Elevations and location plan: JH.QAR/01
- Proposed Plans and Elevations: JH.QAR/02

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

3. The garage, hereby approved, shall be used only for purposes ancillary and incidental to the use of the dwelling house known as 236 Brithweunydd Road. At no time shall it be converted to independent living accommodation, and no business shall be carried out from therein.

Reason: The garage would be unacceptable for independent residential or commercial use and to protect the amenities of the residents of the occupiers of adjoining properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to any development works commencing on site, other than preparation works, design and detail of the garage entrance apron and tie-in with the adopted lane shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial use of the garage.

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

PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0357/15 (MF)
APPLICANT: Newydd Housing Association
DEVELOPMENT: Vary condition 2 (approved plans - change house types and site layout); and condition 3 (site investigation / remediation strategy - remove pre-commencement element) of planning permission ref. 19/0387/10.
LOCATION: FORMER CWMBACH PRIMARY SCHOOL, BRIDGE ROAD, CWMBACH, ABERDARE, CF44 0LS
DATE REGISTERED: 29/03/2023
ELECTORAL DIVISION: Cwmbach

RECOMMENDATION: Approve, subject to conditions and Deed of Variation to original Section 106 Agreement.

REASONS: The very minor amendments proposed to the house types and site layout would not result in any noticeable difference to the character and appearance of the previously approved scheme.

Furthermore, the proposed amendments would not result in any further impacts to the amenities of surrounding neighbours or to highway safety in the vicinity of the site than that which would occur if the scheme was to be developed in accordance with the originally approved plans.

There is subsequently no objection to the variation of condition 2.

The first pre-commencement element of condition 3 has already been discharged. As such there is no objection to its removal from the condition.

REASON APPLICATION REPORTED TO COMMITTEE

The application seeks consent for 5 or more residential units and the variation of a Section 106 Agreement previously approved by Committee.

APPLICATION DETAILS

This application seeks the variation of conditions 2 and 3 of planning permission ref. 19/0387/10.

Full planning permission for 17 bungalows was originally granted at the site on 16/03/20 (application ref. 19/0387/10). While the scheme was submitted by the Registered Social Landlord – Newydd Housing Association, the development proposed a mix of both market (15 units) and low cost home ownership (2 units) housing (formally secured by the associated Section 106 Agreement).

The developer has advised that due to changes in market conditions since the granting of the original consent it is now their intention for each of the 17 bungalows to be occupied as social rented units (100%), rather than the original mix of market and low cost home ownership units. As such several relatively minor amendments need to be made to each unit in order to comply with Welsh Government's (WG) latest specifications for affordable housing – the Welsh Development Quality Requirements (WDQR) and the Lifetime Homes Standards (LHS). This will result in only 4 house types rather than the originally approved 5 house types. Further, while there is no proposed change to the number of units or the general site arrangement, the amended house types will require some minor alterations to the site layout. Full details of the proposed amendments are set out below:

- Minor changes to the house type designs / internal arrangements to ensure compliance with WG WDQR and LHS requirements.
- Plots 4-10 would be terraced and handed.
- Plots 4-10 and 11-15 would be moved westwards slightly to allow a greater offset from the eastern site boundary wall and existing neighbouring properties beyond.
- Plot 16's off-street parking area would be moved to the western side of the dwelling to allow side-by-side parking for Plot 17. This would also avoid the need to divert the existing sewer that runs through the site.
- Minor amendments to the pedestrian approaches at each plot to ensure level access.
- Minor changes to the site layout and landscaping throughout as a consequence of the above variations.

Condition 2 of the original consent requires the development to proceed in accordance with the plans submitted under that application. As such this application seeks the variation of that condition to include the updated set of plans covering the above amendments.

It also noted that the first pre-commencement element of condition 3 has been discharged (discharge of condition application ref. 20/0010/38, granted 12/05/22). It required a desktop study to be carried out to identify and evaluate all potential sources and impacts of contamination relevant to the site. As such this application also seeks the variation of condition 3 to remove this pre-commencement requirement and

instead require development to proceed in accordance with the already approved details.

Parts 2 and 3 of the condition have not yet been approved and would therefore remain as previously set out. Part 2 requires a site investigation to be carried out to fully and effectively characterise the nature and extent of any contamination and its implications prior to any development works being undertaken on site; and part 3 requires a written method statement for the remediation of contamination affecting the site to be agreed following the site investigations approved under part 2, also prior to any development works commencing on site.

Finally, Members are advised that the original planning permission was subject of a Section 106 Agreement (S106) which secured 2 bungalows on site as affordable homes through the low-cost home ownership scheme. The applicant is also seeking the S106 be varied through a Deed of Variation (DoV) to instead secure each of the bungalows as social rented units.

SITE APPRAISAL

The application site is a roughly 'L' shaped plot that amounts to approximately 0.76ha. It was formerly occupied by Cwmbach Primary School which was demolished in 2018. The site has been cleared and is now vacant, with only the original stone boundary walls remaining (which would remain following development). The site rises gradually from south to north following the natural topography of the area. As such the northern element is sited between 1-2m above that of the lower, southern element. It is noted however the westernmost extent of the site forms a steep bank down towards a small area of woodland beyond.

Given the site's location within the heart of the village it is bound by the rear gardens of neighbouring residential properties along Bridge Road at the southern and eastern boundaries, and the garden areas of neighbouring residential properties along Chapel Row and Cwmbach Road at the northern boundary. A small area of woodland is located directly to the west of the site beyond which is large area of public open space, both of which are sited at a considerably lower ground level. Access is gained off Bridge Road at the south-east corner.

The surrounding area is generally residential in nature, comprising a mix of dwelling types and relationships between properties. It is noted however that there are several commercial uses located throughout.

PLANNING HISTORY

Previous planning applications submitted at the site:

22/0010/38 – Discharge of condition 3 (contamination) of planning permission 19/0387/10.

Decision: Granted, 12/05/22

19/0387/10 – Construction of 17 no. bungalows and associated landscaping, SuDS and works.

Decision: Granted, 16/03/20

18/0028/23 – Application for prior notification of demolition of the former Cwmbach Primary School to enable residential development.

Decision: Prior Notification required, 08/02/18

15/0581/13 – Outline planning for 1 no. detached bungalow and 16 no. semi-detached bungalows (8 no. pairs), off-road parking, access road and associated works.

Decision: Granted, 06/06/17

PUBLICITY

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

CONSULTATION

Housing Strategy – No objection. This social rented scheme has been designed by Newydd Housing Association in dialogue with the Council's Housing Strategy Team to help address the need for additional affordable housing within Cwmbach. The unit mix and tenure proposed are in accordance with the Local Housing Market Assessment 2017/23 and as such, satisfies Policy NSA11 of the LDP.

Highways and Transportation Section – No objection subject to reimposition of previous conditions.

Public Health and Protection – No objection. The variation of condition 3 is acceptable given the pre-commencement element of part 1 has already been discharged. However, parts 2 and 3 of the condition should be reimposed.

Flood Risk Management – No objection subject to reimposition of previous conditions.

Countryside, Landscape and Ecology – No objection subject to a condition requiring biodiversity mitigation and enhancement measures being implemented on site.

Waste Services – No objection or conditions suggested. Bin collection points should be sited at kerb side.

Dwr Cymru Welsh Water – No objection subject to reimposition of previous conditions.

The Coal Authority – No objection or conditions suggested.

South Wales Police – No objection. Standard advice officered.

South Wales Fire and Rescue – No objection. Standard advice officered.

Wales and West Utilities – No objection. Standard advice officered.

National Grid – No objection. Standard advice officered.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The current LDP's lifespan was 2011 to 2021. 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 04 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 04 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 24 September 2020. Subsequently, the existing Plan remains the development plan for consideration when determining this planning application.

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

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

Policy CS4 – outlines the extent of the housing requirement that needs to be delivered through the plan period.

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 AW4 – details the criteria for planning obligations including Section 106 Agreements and the Community Infrastructure Levy.

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

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

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

Policy NSA10 – requires housing developments in the Northern Strategy Area to have a net residential density of at least 30 dwellings per hectare, subject to certain exceptions.

Policy NSA11 – seeks a provision of 10% affordable housing on sites of least 10 units or more within the Northern Strategy Area.

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

Supplementary Planning Guidance

- Design and Placemaking
- A Design Guide for Householder Development
- Affordable Housing
- Planning Obligations
- Access, Circulation and Parking

National Guidance

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

The original application was assessed against the 10th Edition of Planning Policy Wales, with Edition 11 being the current iteration. Further, Future Wales: The National Plan 2040 has also been introduced since the original permission was granted.

Planning Policy Wales Edition 11 (PPW) was issued on 24 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 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.

The aims and general context of the revised PPW document, Edition 11, have remained unaltered since the previous version, with the emphasis being on sustainable development. The application site is located within settlement limits and a sustainable location. It is free from any major constraints and the proposed development would not conflict with surrounding land uses. It is therefore considered the scheme would continue to comply with WG's sustainable development objectives and the guidance set out in the current version of PPW and the Well-being of Future Generations (Wales) Act.

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

- Policy 1 – Where Wales will grow
- Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 33 – National Growth Areas – Cardiff, Newport and the Valleys

Other relevant national policy guidance consulted:

- PPW Technical Advice Note 2: Planning and Affordable Housing
- PPW Technical Advice Note 11: Noise
- PPW Technical Advice Note 12: Design
- PPW Technical Advice Note 18: Transport

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.

The development scheme relates to the construction of 17 bungalows at the site. The original consent was granted in 2020 subject to a number of relevant conditions and a S106. This application seeks to vary Conditions 2 and 3 attached to the original permission, to allow some minor changes to the house types and site layout previously approved (condition 2); and to remove a pre-commencement element of condition 3.

The key considerations in the determination of this application are whether the proposed changes to the design of the of scheme would result in any unacceptable impacts in planning terms; and whether the removal of the pre-commencement element of condition 3 would be acceptable or not.

Condition 2 (approved plans)

Visual Impact

It is considered the proposed changes to the house types and associated alterations to the site layout required to allow the new house types are relatively minor in nature, so much so that they would not be readily noticeable when the scheme is viewed in its entirety and within the context of its setting.

The amended scheme proposes the same number of units and overall range and mix as that previously approved, with the changes to the design of the bungalows only required to meet current WG affordable housing standards.

The proposed new house types would be generally situated in the same location as that previously approved and would be of the same scale as that previously approved. They would simply be of a slightly different design to that originally proposed, but very similar with only minor changes proposed. Further, the amended internal road

arrangement and general site layout is very similar to the consented development, with the proposed alterations in these respects not being readily noticeable in the general context of the overall scheme.

Therefore, the proposed amendments will not result in any discernible change to or a scheme which is materially different from that already approved.

It is subsequently considered no further visual impact would occur than that if the scheme were to be built in accordance with originally approved plans.

Residential Amenity

As set out above, it is considered the proposed changes to the house types and associated alterations to the site layout are relatively minor in nature, so much so that they would not be readily noticeable when the scheme is viewed in its entirety and within the context of its setting.

The proposed new house types would be of the same scale as that previously approved, just a slightly different design but very similar with only minor changes required. They would also be sited in generally the same location as that previously approved although it is noted that Plots 4-10 and 11-15 would be moved westwards slightly to allow a greater offset from the eastern site boundary wall and existing neighbouring properties beyond which would improve the relationship between the existing and new properties here.

Further, the amended internal road arrangement and general site layout is very similar to the consented development, with the proposed alterations in these respects not being readily noticeable in the general context of the overall scheme.

As such, it is not considered the amendments would result in any further impact to the amenities of surrounding residents than that which would occur if the scheme were to be built in accordance with the previously approved plans.

Highway Safety

The Highways and Transportation section commented that the amendments proposed to the site access and internal site circulation are very minor and considered acceptable, subject to approval of detailed design which can be controlled by condition. Therefore, with no other changes to the scheme in highway terms (off-street parking / turning provision, visibility, etc.) no highway objections are raised subject to the reimposition of the previous highway safety related conditions.

Condition 3 (site investigations)

During the consultation process of the original planning application Public Health and Protection noted that a search of their records relating to potentially contaminating

past land uses showed that potential hazards associated with land contamination may exist on site given it lies on the periphery of the former Cwmbach Colliery site. As such a condition was suggested requiring a desktop study (part 1), site investigations (part 2) and a remediation strategy (part 3) be undertaken/produced and submitted to the Local Planning Authority for approval prior to any development works being undertaken on site.

The pre-commencement element of part 1 (the desktop study) was discharged on 12/05/22 (20/0010/38). Subsequently the applicant seeks approval for this element of the condition to be removed and instead the condition to require development to proceed in accordance with the approved details.

Given part 1 of condition 3 has already been discharged, its removal from the condition in-line with the applicant's request is considerable reasonable and appropriate. This view is shared by Public Health and Protection.

Other Issues

Condition 15

The most recent version of PPW requires all new developments to provide biodiversity mitigation and enhancement measures. The original planning permission was granted prior to the introduction of this requirement and as the site was cleared prior to submission, there was no biodiversity on site that needed protection at that time. Consequently no conditions to this effect were included. However, as this Section 73 application would essentially grant a new planning permission it must be considered in accordance with the latest version of PPW, i.e. it must demonstrate appropriate biodiversity mitigation and enhancement measures if granted.

In light of this fact the applicant has submitted ecology and landscaping information with this application, but having considered the information, the Council's Ecologist does not consider it sufficient to demonstrate appropriate mitigation/enhancement. It was advised however that this information is a good base to work from and could be amended to acceptable levels. It is therefore suggested a further condition be added to any consent requiring additional information be submitted to the LPA for approval prior to any development commencing on site. It is considered this information is necessary and the approach is reasonable given there are several other pre-commencement conditions yet to be discharged. A condition to this effect is therefore set out below (condition 15).

Condition 16

Members will be aware that recent guidance from WG requires developers to provide all new residential units with high speed broadband facilities.

The original planning permission was granted prior to the above WG guidance being produced and consequently such features were not included within the original consent. Further, no such details have been provided with this current amendment application. It is however considered that this information could be sought via condition and therefore an additional condition to this effect is set out below (condition 16).

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 S106) may only legally constitute a reason for granting planning permission if it is:

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

The Welsh Government Development Management Manual and 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 original planning permission (19/0387/10) was granted subject to a S106 which secured 2 bungalows on site as affordable homes through the low-cost home ownership scheme.

The applicant now proposes each of the bungalows (100%) be occupied as social rented units and as a result requests the existing S106 be varied through a DoV to secure the proposed tenure arrangements.

There is no objection to the proposed change which as set out above is welcomed by the Council's Housing Strategy team. It is also considered the proposed requirement meets all of the above tests and is in compliance with the relevant legislation.

Therefore, should Members be minded to approve this planning application, it is also requested they grant the proposed, associated DoV.

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) however the application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones where a £nil charge is applicable. The scheme also proposes 100% affordable housing which is exempt from CIL. Therefore no CIL would be payable.

Conclusion

The very minor amendments proposed to the house types and site layout would not result in any noticeable difference to the character and appearance of the previously approved scheme.

Furthermore, the proposed amendments would not result in any further impacts to the amenities of surrounding neighbours or to highway safety in the vicinity of the site than that which would occur if the scheme was to be developed in accordance with the originally approved plans.

There is subsequently no objection to the variation of condition 2.

The part 1 of condition 3 has already been discharged. As such there is no objection to its removal from the condition.

RECOMMENDATION: Approve, subject to conditions and Deed of Variation to original Section 106 Agreement.

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans ref:
 - 3692/SK/01 – Site Location Plan
 - 3692/SK/20 Rev. B – Boundary Details
 - 3692/SK/30 Rev. D – Site Plan (WDQR)
 - 3692/SK/40 Rev. C – Dwelling Type 1 (WDQR)

- 3692/SK/41 Rev. C – Dwelling Type 2 (WDQR)
- 3692/SK/42 Rev. B – Dwelling Type 3 (WDQR)
- 3692/SK/43 Rev. B – Dwelling Type 4 (WDQR)
- 3692/SK/15 Rev. A – Sections
- 3692/SK/16 Rev. A – Sections 2
- 231A/18 – Site Survey;
- 18254/C-001 Rev. 13 – External Works Engineering Layout

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

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

3. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- i. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall be undertaken in accordance with the details set out in the desktop study approved under discharge of condition application (20/0010/38), granted 12/05/22.
- ii. 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 by a competent person. No deviation shall be made from this scheme without the express written agreement of 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.

4. The dwellings hereby approved shall not be occupied until the measures approved in the scheme referred to in Condition 3 have been implemented and a suitable validation report of the proposed scheme is submitted to and approved 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.

5. 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 revised contamination proposals shall be submitted to 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.

6. No development shall commence on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be fully implemented on site in accordance with the approved details and to the satisfaction of the Local Planning Authority prior to beneficial occupation of any dwelling on site.

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

7. No development shall commence on site, 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 highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the submitted plans, no work shall commence on site until full engineering design and details of the internal access road and junction with Bridge Road, including sections, street lighting, vision splays, highway

structures, traffic management measures, turning facilities, footways and highway surface-water drainage 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 the safety of all highway users, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. Prior to beneficial occupation of the first dwelling on site, the vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x 40m vision splays with no planting or obstruction above 0.9m placed within the vision splay area.

Reason: To ensure that adequate visibility is provided in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. No dwelling shall be occupied on site until the Traffic Regulation Order for the removal of 'School Keep Clear' road markings and prohibition of parking has been amended and implemented to the satisfaction of the Local Planning Authority.

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.

11. Prior to the beneficial occupation of the first dwelling on site, the existing vehicular footway crossing on Bridge Road shall be reinstated in full footway construction in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development works commencing on site.

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

12. Prior to the occupation of each dwelling the developer shall provide the owner/occupier 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 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 the use of sustainable modes of travel.

Reason: To ensure reduction of road traffic and to promote sustainable modes of travel, in accordance with the relevant sustainable transport objectives of Planning Policy Wales and the Rhondda Cynon Taf Local Development Plan.

13. All HGV deliveries during the construction period shall only take place between the hours of 09:30am and 16:00pm on weekdays to and from the site, with no deliveries on Saturdays, Sundays and Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

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.

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

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

15. No development shall commence on site until details of a scheme of biodiversity mitigation and enhancement measures, together with site landscaping, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to beneficial occupation of any dwelling and shall be maintained as such in perpetuity.

Reason: In the interests of visual amenity, biodiversity and the protection of the natural environment, in accordance with PPW and Policies AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

16. No development shall take place on site until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings hereby approved has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Future Wales 2040.

PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0273/10 (GH)
APPLICANT: PPD Group Ltd
DEVELOPMENT: Change of use from public house to 4 dwellings (Transport Note received 4th July 2022, Foul Drainage Strategy received 2nd February 2023)
LOCATION: THE BARN PUBLIC HOUSE, HEOL MISKIN, MWYNDY, PONT-Y-CLUN, PONTYCLUN, CF72 8PJ
DATE REGISTERED: 04/03/2022
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: REFUSE FOR THE FOLLOWING REASON:

REASONS: The primary means of access to the development along the unnamed lane serving Mwyndy Industrial Estate is severely sub-standard in terms of horizontal geometry, forward vision/intervisibility, provision of segregated pedestrian footway facilities, passing bays, street lighting, highway drainage, and structural integrity with a high volume of heavy goods vehicles traffic accessing the adjacent industrial area. The proposed use of the sub-standard access to serve residential development with associated pedestrian movement would create hazards to the detriment of highway safety.

Furthermore, insufficient information has been provided to allow an assessment of the impact of the development on highway drainage infrastructure which crosses the proposed development.

Consequently, the proposed development would not be in accordance with the requirements of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Paul Binning for the matter to come to Committee due to the objection received from the Council's Highways and Transportation Section.

Specifically, Cllr Binning highlights that the alternatives to the development are either to re-open as a pub/restaurant, although there has been no market interest and this would lead to a greater volume of traffic, cyclists and pedestrians than the proposed four dwellings; or for the building and area to become derelict.

APPLICATION DETAILS

Full planning consent is sought for the change of use of 'The Barn' Public House and its conversion and extension to provide four dwellings.

It is proposed that the property would be subdivided to create a row of four terraced houses, with principal elevations facing north towards the existing car park. The two end of terrace houses would have three bedrooms, whilst the mid-terraced houses would have four bedrooms.

Although no new significant construction is proposed to the front, alterations to the fenestration would be required to create separate entrances, including additional and relocated windows. The customer car park would be removed to create four driveways with lawned or planted areas.

To the rear of the site a large single storey extension to the western end of the building would be removed, and each separate dwelling would then benefit from a two storey rear offshot extension of a contemporary timber-clad style. The current beer garden and rear amenity space would be subdivided to form separate enclosed gardens.

The use of the property as a public house ceased in March 2020 at the time of the first Covid-19 lock down. Subsequently Marstons, who were operating the business, surrendered their lease in October 2020. The property has been marketed since May 2021 without success.

Further to the above, it has been clarified that the separate three bedroom dwelling to the south of the property is currently within the same land ownership and is accessed via the customer car park and its entrance onto Heol Miskin. However, this dwelling does not form part of the application at hand.

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

- Flood Consequences Assessment
- Preliminary Bat Roost Assessment
- Planning Statement (including Estate Agent's statement)
- Tree Constraints Plan

Lastly, as the description of development indicates, additional information comprising a Transport Note, Foul Drainage Strategy and further Highways comments, were provided during the consultation period in response to concerns raised by consultees.

SITE APPRAISAL

The application property comprises a vacant public house located in the small hamlet of Mwyndy located outside of the settlement of Pontyclun. The site is accessed from an unnamed lane that connects with the A4119 to the west of the site.

The main building is located towards the centre of the site with an area of tarmacadam to the front which was previously used as an area for customer car parking. To the rear of the building there is an enclosed amenity area which was historically used as a beer garden.

The area surrounding the site consists of Mwyndy Industrial Estate to the east and north-west, a large pond to the north beyond the access road and a small cluster of residential dwellings to the south and west.

The site is located outside of the defined settlement boundary and within Tree Preservation Order Area TPO2 (1990), is adjacent to the Ty Newydd Woods and Grassland Site of Importance for Nature Conservation (SINC), is partially located within a designated C2 flood zone and is within a sandstone safeguarding area.

PLANNING HISTORY

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

21/5125/41: Pre-app advice. Decision: 23/12/2021, Raise No Objections.

13/5774/33: Licensing Consultation - Minor variation of the Premises License. Decision: 30/10/2013, Raise No Objections.

PUBLICITY

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

Two letters have been received from the residents of the neighbouring property 'The Cottage'. These residents, who also own the application property, express support for the proposal and raise the following comments:

- Highways comments are misleading – the unnamed road not only provides access to Mwyndy Industrial Estate but also serves as the sole access to The Cottage and the residential properties beyond the industrial estate.
- The unnamed road is already an active travel route - for us, as existing residents, and for the employees of the businesses in the Mwyndy Industrial Estate. We regularly witness people utilising active travel by walking the lane to and from work. The 122 Tonypany to Cardiff bus service stops on the A4119

close to the top of the unnamed road and we understand it was placed there to serve the existing residents and the industrial estate.

- The car park at The Barn is currently being used as an unauthorised park and ride. We regularly wake to find a full car park where people have left their cars to walk up the road and catch the bus to Cardiff (photographs of this have been provided to Cllr. Paul Binning).
- There are already several houses within the vicinity of the proposed development. It just so happens that none of them, as far as we are aware, have school age children at present although children have lived in these houses in recent years. If school age children were currently residing at either The Cottage, Mwyndy House or any of the properties beyond the industrial estate, the Council would be required to provide home to school transport as it deems the unnamed road to be a “substandard learner travel route”.
- The Highways comments do not mention that the road is also a recognised public footpath. It is used regularly at all times of the day by ramblers, dog walkers, runners and cyclists. We understand that NRW works with local authorities to ensure that public rights of way are “in excellent condition” and “as accessible to all lawful users as possible”. As the road is deemed by the Council to be unsafe for pedestrians, this public footpath clearly falls foul of both of these requirements and this ought to be addressed by the Council.
- If the junction and the road are deemed to be too narrow to accommodate HGV accessing and passing, we do not understand why permission was given for the extended development of Mwyndy Industrial Estate. In particular, the 2016 extension to the Leekes Head Office to increase the warehousing facility and distribution centre.
- We agree with the Report that the condition of the road is substandard, however this is due to the Council’s failure to maintain it. The muddy areas and puddles referred to in the Report would not exist if the road was adequately maintained.
- We are very concerned about the impact the Highways objection has on the future use of The Barn. If there are concerns about the safety of the lane for residential purposes, these concerns will apply regardless of the use of the building. It has already been established that there is no market for its sale as a pub, which has been accepted by the planning department, so we are at a loss to understand what is expected to happen to the building.

CONSULTATION

Highways and Transportation

An objection is raised due to the substandard primary means of access, and that insufficient information has been provided relating to highway drainage infrastructure.

Flood Risk Management

Given the number of properties being developed, under Schedule 3 of the Flood and Water Management Act 2010, the applicant is 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.

Whilst the applicant has provided a Flood Consequence Assessment document, further information regarding the site's proposed drainage characteristics should be supplied to the Lead Local Flood Authority to ensure that the development does not adversely impact surface water flood risk, which can be secured via a condition.

Public Health and Protection

Conditions are recommended in respect of demolition, construction hours of operation, noise, dust and waste. In addition, public health records indicate that the site is within 250m of a potentially contaminating land use, such that a further condition requiring a scheme to deal with contamination is also recommended.

Natural Resources Wales

NRW has no objection to the proposed development and notes that foul drainage would be disposed of via a new package treatment plant (PTP). Applicants wishing to operate a private sewerage system would need either to apply to NRW for an environmental permit or register with them for an exemption from the permit requirement.

Furthermore, NRW notes that the very edge of the site boundary is within Flood Zone C2 but given the very limited extent of flood risk shown to be affecting the application site the proposals could be acceptable, subject to the developer being made aware of the potential flood risks.

Dwr Cymru Welsh Water

There is no public sewerage system in the immediate vicinity. Any new development will require the provision of satisfactory alternative facilities for sewage disposal.

It may be possible for the Developer to requisition sewers from Dwr Cymru Welsh Water under Sections 98 - 101 of the Water Industry Act 1991.

Western Power Distribution

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

Countryside – Ecologist

No objection, subject to a condition requiring implementation of the recommended ecology measures contained within Section 6 of the Preliminary Bat Roost Assessment.

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

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The current LDP's lifespan was 2011 to 2021. 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, the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies outside the development settlement boundary.

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

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

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

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

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

Policy AW9 - Residential conversion of existing buildings outside the defined settlement boundaries will be supported where the building is structurally sound, if it

can be demonstrated that there are no viable alternative uses, and if the building is of architectural or historical merit.

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

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

Policy AW14 - Sandstone resources, where indicated on the LDP proposals map, will be safeguarded from development.

Policy SSA13 - The 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

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 would not be consistent with the key principles and requirements for placemaking set out in PPW; nor the Well-being of Future Generations (Wales) Act's or the FW2040's principles of sustainable development, due to the concerns relating to access and highway safety set out further below.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 12: Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application site is located outside of the defined settlement boundary in an area defined as countryside, where local and national planning policy primarily restrict this type of development.

Nonetheless, LDP Policy AW9 advises that the alteration, conversion and re-use of rural buildings may be acceptable subject to compliance with two main criteria.

Firstly, the existing building must be structurally sound, or capable of being made so without substantial alteration or reconstruction. Secondly, in the case of residential use, it can be demonstrated that there are no viable alternative uses to secure the retention of the building and that the building is of architectural/historical merit.

In the case of this proposal, the building appears to be structurally sound, is of some historical interest, given its age, and marketing information has been provided which suggests an absence of any interest to operate the property as a public house and restaurant.

It is noted that the application would result in the demolition of a large single storey rear wing on the western side of the property, which has been used as ancillary storage, cellar and toilet facilities to support its previous use. In addition, the proposal includes the construction of two storey rear extensions for each of the four new dwellings.

However, given that the rear wing is a later addition and that the overall footprint of the development would be only slightly larger than that of its current extent, these

alterations and extensions are not considered to represent an unacceptable degree of alteration that would justify a recommendation of refusal as per Policy AW9.

Furthermore, whilst the application property occupies an unsustainable location as defined by Policy AW2, primarily for being outside the settlement boundary, it is recognised that its previous use would likely have resulted in a greater number of vehicle trips by private motor car than it would as four separate dwellings.

Consequently, greater material weight is apportioned to the benefits of bringing a redundant building, on a previously developed site, back to beneficial use, together with a small increase to the housing supply. Therefore, the proposal is considered, on balance, to be acceptable in principle.

Impact on the character and appearance of the area

The majority of redevelopment works proposed would be located to the rear of the property and would therefore be largely obscured from public vantage points.

In addition, the extensions and alterations proposed are considered to be of an attractive design that would form subservient and sympathetic additions without dominating the overall character and appearance of the site. Furthermore, the demolition of the later single storey extension would not be harmful to the character of the building.

With regard to the changes proposed to the front elevation, these largely relate to revised fenestration and the creation of new entrance doors to serve the proposed dwellings. Given the scale of the existing building these changes would have a minimal impact upon its appearance on this elevation and are considered acceptable in this regard.

Although the submitted plans currently lack some detail with regard to landscaping and the proposed arrangement for the front and rear amenity areas, it is acknowledged that these details could be secured by condition if required.

In light of the above, it is considered that the reuse and conversion of the building would result in an improvement to the character and appearance of the site and surrounding area.

Impact on neighbouring occupiers

Given the relationship with the closest neighbouring property at Mwyndy House located roughly 40 metres to the south and with the site largely screened by existing hedgerows and vegetation, it is not considered that the proposal would result in any adverse impact upon the amenity and privacy of the few neighbouring properties that it may potentially effect.

In addition, the conversion to residential use would result in a betterment to the existing impact on neighbouring properties through the removal of noise and disturbances associated with the beer garden and public house.

With regard to the impact upon future occupiers of the dwellings from noise and disturbance associated with the nearby Industrial Estate, as the most disruptive use is located 116 metres to the north east with less disruptive office uses in between, it is not considered that this would result in an impact great enough to warrant a refusal of the application. In addition, any impact upon residential amenity is not considered to be significantly greater than those experienced by existing residential properties within the vicinity.

Access and highway safety

Access

The proposed development is served via an unnamed lane which is maintained at public expense to the eastern boundary of the application site and provides access for industrial use beyond at Mwyndy Industrial Estate which include Maxibrite smokeless fuel, Leekes head office and warehouse, Contractors offices and plant hire.

The junction of the access road to Mwyndy Industrial Estate with the A4119 has no restriction on turning movements and incorporates a sub-standard right turning lane with a tapering width of up to 2.7m. Visibility at the junction is satisfactory and kerb radii are acceptable; however, the width of the access road at the junction is only 5m wide which is too narrow to accommodate heavy goods vehicles (HGV) passing and turning into the access road.

The width of the lane linking the A4119 to the development site and adjacent industrial use varies in width between 3.9m and 5m and as such is too narrow to allow HGVs to pass with resultant reversing manoeuvres to areas where the road widens adjacent to the development site and industrial area.

The lane serves predominantly industrial development and has no segregated footway, street lighting or engineered drainage. It also has substandard geometry, vertical alignment and forward vision with limited opportunities for pedestrians to step off the carriageway to avoid large vehicles due to the steep banks which bound the carriageway.

As noted above, the carriageway width which varies between 3.9m and 5m is not sufficient to allow large vehicles to pass. Therefore, should such vehicles meet, it would be necessary for one to reverse to a location where sufficient width is available to pass. This is of significant concern due to the lack of rear vision for reversing HGVs and, swept path of reversing vehicles exacerbated by curved road alignment and passing movements particularly articulated HGVs and lack of pedestrian step-off facilities affording protection against reversing vehicles.

Due to these constraints and particularly the use of the lane by HGVs associated with the industrial activities it is considered that the lane would not provide a safe walking route to encourage walking and cycling as a sustainable means of travel in accordance with the aims of the Active Travel Act (2013) and FW2040. Therefore, the development would be heavily reliant on the private car.

At the existing site boundary there is no physical demarcation between the carriageway and the public house carpark which provides an informal passing area for industrial estate traffic when the car park is not fully utilised, however, it is noted that the site layout plan Drawing No 21251_13 indicates that a footway will be provided along the site frontage with the existing carriageway width of 5.22m retained. Whilst the provision of a footway is considered acceptable in principle, there is concern with regard the remaining highway width to allow HGVs to pass which is exacerbated by the curved alignment and likely swept path of vehicles which include 8-wheel rigid chassis vehicles and articulated vehicles. Furthermore, the layout does make provision to accommodate calling service and delivery vehicles and encroaches onto highway maintainable at public expense. Whilst turning facilities are available to the north-east of the site within the industrial area, they are beyond the limit of public highway. Therefore, availability of turning facilities cannot be guaranteed.

The footway provided along the site frontage and the need to set back the site boundary to allow widening of the carriageway could be secured by suitably worded conditions, however, these limited measures would not overcome the concerns with the walking route between the A4119 and the development site for pedestrians.

It is also noted that no measures are identified to divert or protect highway drainage within the curtilage of the site and easements for future maintenance are not shown on the submitted drawings.

Secondary Access via Private Road

The submitted plans indicate a secondary access which also serves 'Mwyndy House' & 'The Cottage', two residential dwellings, circa 10m in width at its junction with the A4119 but which narrows to circa 4-3m for the majority of its length. The lane is not maintained at public expense and lacks sufficient passing bays which would result in vehicular reversing manoeuvres should two vehicles meet, which gives cause for concern. The lane also lacks segregated pedestrian footway facilities, resulting in potential conflict between vehicles (potentially reversing) and pedestrians.

Additionally, the secondary access/ junction of the private road with the A4119 does not accommodate right turning movements onto the dual carriageway and would require vision splays of 2.4m by 120m in accordance with the requirements set out within TAN18: Table A. The vision requirements cannot be achieved and falls significantly below the requirement which gives rise to concern that intensification of use of the junction would be detrimental to highway safety and the free flow of traffic.

Furthermore, as the secondary access is not maintained at public expense its availability cannot be guaranteed; and the submitted Transport Note dated 26th June 2022, indicates that this route is not available and site visit confirms it is gated at Mwyndy House.

The secondary access is therefore not considered acceptable.

Safe Routes to School / Learner Travel

The site would be within the catchment areas for the following schools:

- YGG Llantrisant – Welsh Primary
- Penygawsi Primary - English Primary
- Ysgol Llanhari - Welsh Secondary
- Y Pant - English Secondary

Currently pupils living to the east of the A4119 benefit from a school bus service which serves Groesfaen, however, should the route along the substandard lane linking to bus stops on the A4119 may not be considered to be available in terms of Learner Travel.

New development at Cefn Yr Hendy will deliver improvements to pedestrian facilities and crossing facilities along the A4119 which could potentially result in the development falling within the safe walking distances to Welsh and English Primary/ Secondary schools, however, home to school transport would need to be provided due to the substandard learner travel route between the development and the A4119.

Transport Note

In response to concerns raised by Highway Development Control the Applicant has submitted a Transport Note, (TN), by Apex Transport Planning to provide additional information in support of the application.

Trip Generation

Existing Use as Public House

The submitted Transport Note assesses the multimodal trip generation associated with the use as a public house to generate up to 297 vehicle trips per day with peak trip generation occurring during the evening peak with approximately 70 two-way trips during the period between 17:00 and 20:00 which would fall outside the peak period for traffic associated with employees and HGV traffic associated with the adjacent Industrial use.

The multimodal trip generation provides a modal split of all trips within Table 2.2 of the TN which indicates 50 pedestrian trips daily, however, this is derived from the Trip Rate Computer Information System (TRICS) on the basis of data from sites for public houses and restaurants on the edge of town locations, but all are served by footways and in some cases cycle routes and are therefore not representative of the existing use of the site which does not benefit from segregated pedestrian access and would result in an overestimation of trips on foot and bicycles to the Barn Public House.

Table 2.1 indicates that peak trip generation from the use as a public house would be between 19:00 and 20:00 which would fall outside the normal operating times of the adjacent industrial estate.

Proposed use

Table 2.4 of the TN indicates that the proposed development would generate approximately 21 daily vehicle trips and 10 pedestrian trips per day. Whilst the total trips associated with the proposed use are significantly lower than the existing use as a public house, peak periods for vehicle and pedestrian movements associated with the proposed dwellings would be aligned with the peak hour traffic flows associated with the industrial estate. Unlike patrons of the public house residents could not choose to access the proposed dwellings during the off-peak periods or outside peak traffic periods associated with the adjacent industrial estate use. Therefore, concerns remain with regard the adequacy of the unnamed lane to safely accommodate pedestrian movements associated with the residential use with potential conflict between industrial estate traffic consisting of cars, light vehicles, HGVs and articulated vehicles.

Road Safety Data Review.

The TN includes a Road Safety Review within Section 2.3 which is based on crash map data and not data provided by the Welsh Government. The TN states that there are no fatalities within the study area during the last 22.5 years however, fatal accidents are recorded on the Council's database utilising Welsh Government verified data to the north of the study area.

Traffic Flow Analysis

The TN indicates that a traffic flow analysis was undertaken between the 14th May and 20th May 2022 by means of a ATC count.

Table 2.6 of the TN indicates:

Weekday average AM peak 07:08:00	102 vehicles (two-way)
Weekday average PM Peak	86

Highest daily AM peak (Wednesday) 08:00-09:00	116 (two way)
Highest PM Peak (Wednesday) 16:00-17:00	86 (two way
Daily Traffic (Highest)	871 (two way)

The data in Table 2-7 indicates 85th percentile speeds to be 28.5mph eastbound and 26.4mph westbound.

Paragraph 2.4.4 states that the maximum hourly flow across the entire week occurred on a Wednesday with 116 vehicle movements (two-way) during the AM peak 08:00-09:00 which equates to one vehicle movement every 31 seconds

Reference to the actual traffic count data at the end of the TN indicates that out of the 116 vehicle movements on the busiest day of the survey, 25 movements were by vehicles larger than a car derived Light Goods Vehicle (LGV), LGV including non-car derived LGVs, three axle rigid HGV and five axle articulated vehicle in addition to a multi-trailer arctic (five or less axles).

The peak period for pedestrian movements associated with the proposed residential use would be 08:00-9:00 which would be a period where the access road is busy with the industrial estate traffic including cars, light goods vehicles, heavy goods and articulated vehicles with a high likelihood that vehicles within the lane would meet opposing vehicles and need to reverse to a place where the width would allow vehicles to pass which are the same areas that the TN identifies as suitable step off or areas for pedestrians to pass larger vehicles.

Unnamed Road Review

The TN at section 2.5 reviews the access route between the development site and the A4119 which comprises the substandard lane.

Paragraph 2.4.7 states that forward vision is satisfactory and therefore intervisibility between pedestrians and vehicles is acceptable, however, the forward vision in terms of the stopping sight distance relates to a requirement to allow vehicles to brake to avoid collision. Whilst the stopping sight distance may be acceptable in relation to the speed of vehicles there are no formal passing places for vehicles or pedestrians and intervisibility to allow vehicles to observe opposing movements by vehicles or pedestrians and wait at a suitable passing place.

Paragraph 2.5.2 states that the length of the substandard lane is 125m, however, the Council's OS mapping system and Google indicate a distance of 160m to the centre of the proposed development.

Paragraph 2.5.3 indicates that the substandard lane is an existing route for walkers, however, there are numerous alternative routes for walkers who would have the

opportunity to risk assess their route via the substandard lane and choose an alternative or time such as evening or weekend when industrial estate traffic would be lower to avoid potential conflict.

Paragraph 2.5.4 indicates that there is sufficient width to allow pedestrians to safely step off the carriageway or the edge of carriageway to allow vehicles to pass. The lane is bounded by hedgerow and embankment and unsurfaced areas and it would be unreasonable for pedestrians to step off into puddles and muddy areas. Such spaces even if available would provide no protection from the swept path of articulated vehicles or should HGVs need to reverse.

Paragraph 2.5.11 states that as set out in Manual for Streets (page 83 - shared space streets) that pedestrians are comfortable treating roads with traffic flows less than 100 vph as shared surfaces. However, this reference within Manual for Streets relates to the provision of Home Zones within residential streets. The lane in question is not a residential street and the traffic utilising the lane for access is not typical of such a residential environment, consisting of significant numbers of large HGVs with a substandard carriageway width.

Paragraph 2.5.13 states the highway code requirements for drivers of vehicles passing pedestrians, however, there are significant sections of the lane where these distances are not achievable particularly for HGVs.

Paragraphs 2.5.15 to 2.5.18 refers to English policy with regard quiet lanes, which is not applicable in Wales. Paragraph 2.5.18 states that the Active Travel Act accords with the 'Quiet Lanes' and Manual for Streets in terms of vehicle flows and confirms that the unnamed road should be suitable for shared use between all modes of travel as the traffic flows are less than 1000 vehicles per day and the recorded speeds are below the 30mph speed limit. However, Manual for Streets specifically states its focus on lightly trafficked residential streets and lightly trafficked lanes in rural areas and all guidance within is aimed at residential streets with the type of traffic associated with residential streets and not to industrial estate access roads carrying significant HGV traffic, lacking in adequate width, road geometry, formal passing places with intervisibility and facilities for pedestrians.

Sustainability

The information provided within the TN to demonstrate that the site is in a sustainable location is noted although the majority of amenities and facilities are towards the higher end of desirable walking distances, however, distances stated to educational establishments are incorrect and underestimate the walking distance via suitable routes.

Access to the local amenities and facilities is compromised by the substandard pedestrian connectivity between the site and the footways along the A4119 to access

the wider locality and public transport, therefore increasing reliance on the private motor vehicle.

Parking

The Public House to be altered is located in Parking Zone 4. It therefore required 1 commercial vehicle space for operational purposes and 1 space per 3 staff and 1 space per 5m² of public area.

The existing building, with a GFA of approximately 490m² requires 98 off-street car parking spaces in accordance with the SPG Access, Circulation & Parking 2011, with 44 provided.

The proposed dwellings have an off-street car parking requirement of a maximum of 3 spaces per dwelling in accordance with the same SPG. This requirement has been met by means of driveway spaces and spaces alongside the private access lane to the west of the site. As such no cause for concern is raised with regard to parking provision.

Conclusion

The proposed residential development raises major concern due to the lack of a safe pedestrian access between the site and footways along the A4119. The lane varies in width between 5.5m and 3.9m and lacks segregated footways, drainage and street lighting. The lane provides the only means of access to the Mwyndy Industrial Estate. Traffic associated with the industrial estate includes significant numbers of HGVs serving the Maxibrite smokeless fuel site, Leeks Warehouse, construction companies and plant hire. Due to the substandard width and curved alignment of the lane HGVs are unable to pass and would need to reverse to wider areas where they can pass. Therefore, there is a major concern with regard pedestrian safety and use of the lane by potential residents to undertake journeys on foot or bicycle as set out within the Active Travel (Wales) Act and PPW 11, which will make the development heavily reliant on the private car contrary to local and national policy.

The substandard route for pedestrians along the lane will also impact Learner Travel provision as the pedestrian route between the development and bus stops on the A4119 would be classed as not available requiring home to school transport via a taxi instead of the current school bus and negating the impact of improvements along the A4119 to facilitate walking to school.

The submitted Transport Note does not satisfactorily address these safety concerns.

The proposed arrangement of the dwellings does not cater for parking of calling service and delivery vehicles and turning should access to informal turning areas within the private industrial estate road cease to be available. Furthermore, the site layout plan does not appear to retain an area of public highway and encroaches onto

highway maintained at public expense at the junction of the lane with the private access to Mwyndy House along the western site boundary.

The submitted plans do not indicate diversion of highway drainage or provision of easements to facilitate future maintenance and the absence of the pipe on the submitted plans does not allow the impact on the development of highway drainage infrastructure to be considered.

Other matters

The site is partially located within Zone C2 of the Development Advice Map (DAM) referred to in TAN15 where new highly vulnerable development such as a residential use is not considered acceptable.

However, as referenced by NRW in their consultation response, the area located within Zone C2 is a small section of the rear amenity space and does not include any part of the building or access to the site; hence there is no objection to the development on this basis.

Community Infrastructure Levy (CIL) Liability

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

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

The CIL (including indexation) for this development is expected to be £7879.39.

Conclusion

Although some concerns have been raised in respect of the principle of the development, given the location of the site outside of the defined settlement boundary, it is recommended that the development would accord with LDP Policy AW9 and that greater material weight should be apportioned to the beneficial re-use of this previously developed site. It is also noted that no other uses for the site, either proposed or in relation to the established use have come forward and that the conversion of the property would be acceptable in terms of visual and neighbour amenity.

However, whilst there have been no other objections from any statutory consultees the Council's Highways and Transportation Section has consistently maintained an objection to the initial proposal and subsequent addition supporting information. On

this basis, the application is considered to be unacceptable since it would not comply with Policy AW5 of the Local Development Plan in terms of highway safety.

RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:

1. The primary means of access to the development along the unnamed lane serving Mwyndy Industrial Estate is severely sub-standard in terms of horizontal geometry, forward vision/intervisibility, provision of segregated pedestrian footway facilities, passing bays, street lighting, highway drainage, and structural integrity with a high volume of heavy goods vehicles traffic accessing the adjacent industrial area. The proposed use of the sub-standard access to serve residential development with associated pedestrian movement would create hazards to the detriment of highway safety.

Furthermore, insufficient information has been provided to allow an assessment of the impact of the development on highway drainage infrastructure which crosses the proposed development.

Consequently, the proposed development would not be in accordance with the requirements of Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0044/10 (JE)
APPLICANT: Mrs Pike
DEVELOPMENT: Retrospective retention of steps and middle decking
(Resubmission of 22/0783/10)
LOCATION: 3 PLEASANT HEIGHTS, PORTH, CF39 0LZ
DATE REGISTERED: 19/01/2023
ELECTORAL DIVISION: Porth

RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:

REASONS: The development as constructed, by virtue of its scale, design and elevated height results in an unneighbourly form of development which directly overlooks and adversely impacts upon the amenity and privacy of neighbouring occupiers. As such, the application is considered contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's Supplementary Planning Guidance 'A Design Guide for Householder Development'.

REASON APPLICATION REPORTED TO COMMITTEE

- A request has been received from Councillor Ros Davis so that members can consider the impact of the development upon the amenities of surrounding residents.

APPLICATION DETAILS

Full planning permission is sought for the retention of works to the rear garden that include a raised decking and associated development.

Members are advised that this application follows two similar applications at the site, one for the retention of two areas of raised decking in the rear garden – a raised deck at the centre of the garden and a further, higher deck at the rear of the garden (21/0923); and a second application for the retention of the central/middle deck only (22/0783) following refusal of the first application. Both previous applications were refused because it was considered the areas of raised decking resulted in unneighbourly forms of development that directly overlook and significantly adversely impact upon the amenity and privacy of neighbouring occupiers.

An appeal was submitted to PEDW in respect of the first application to retain both raised decks but was dismissed due to overlooking and neighbour amenity issues. No appeal has been submitted to date in respect of the second application to retain the middle section of decking only.

The area of raised decking and associated outbuilding located to the rear of the garden at a higher level, subject of the first planning application, does not form part of this application. Members are advised that this area is subject to a separate enforcement investigation following the refusal of the original application and the associated dismissed appeal.

This current planning application has been submitted with amendments to the previous in an attempt to overcome the earlier concerns. It seeks permission for retention of the middle raised deck within the rear garden area only. The scale and siting of the deck remains unchanged from the previous application, however the applicant has now erected 2 metre high boundary fencing at either side in an attempt to overcome the previous concerns. Specifically, this application seeks consent for the following:

Retention of the area of raised decking at the centre of the rear garden. The deck spans the full width of the garden measuring 12 metres in width by a maximum depth of 4 metres. The decking varies in height above the adjacent ground level, extending to a maximum height of 1.1 metres at its front elevation. The decking is enclosed by a 1 metre high timber balustrade, however the plans indicate that this would be replaced with a glass balustrade with timber posts. The development also includes 2 metre timber feather edge fencing at either side. No measurement is given in respect to the height of the decking in relation to the ground level of the application dwelling and neighbouring properties, however the deck appears to be located roughly in line with the eaves levels of these properties given the rise in levels away from the house.

SITE APPRAISAL

The application property is a late 20th Century detached dwelling located in a residential area of Porth. The dwelling is set back from the highway to the front by an open amenity space which accommodates a driveway providing off street parking and an area of garden. To the rear of the property is a large, enclosed amenity space bounded on both sides by neighbouring properties and open hillside to the rear. The rear garden rises steeply away from the back of the dwelling resulting in a significant increase in levels between the dwelling and the rear boundary, which is elevated over the ridge level of the dwelling. A raised patio is sited directly to the rear of the dwelling with a steeply sloping embankment beyond where the development subject of this application has been erected. At the time of the Officer's site visit works were nearly complete with only finishing works and the creation of the new access paths yet to be installed.

Neighbouring properties comprise detached and semi-detached dwellings of a similar scale and design. Similar raised deck structures have been erected at the adjacent property, No.2 Pleasant Heights, however they do not benefit from planning permission and are subject of a separate, current enforcement investigation.

PLANNING HISTORY

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

21/0923/10: 3 PLEASANT HEIGHTS, PORTH, CF39 0LZ

Proposed rear garden alterations.

Decision: 14/04/2022, Refuse

Appeal: CAS-01999-C0Z3Z9, Dismissed

22/0783/10: 3 PLEASANT HEIGHTS, PORTH, CF39 0LZ

Retention of existing rear garden alterations (steps and middle decking)

Resubmission of 21/0923/10.

Decision: 09/11/2022, Refuse

PUBLICITY

The application has been advertised by direct notification to 5 neighbouring properties. 3 letters of objection have been received from neighbouring occupiers following consultation. The points raised have been summarised below:

- Overlooking areas of rear garden and windows in the rear elevations of neighbouring properties.
- Overbearing impact of the development.
- No measurements set out on plans.
- Noise and disturbance created by the proposed use.
- Odour from fires lit whilst using deck area prevents opening of windows.
- Can be seen from highway to front of property.
- Development process is being dragged out following refusal of previous applications.

CONSULTATION

None undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The current LDP's lifespan was 2011 to 2021. 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, the existing Plan remains the development plan for consideration when determining this planning application.

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

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

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

Supplementary Planning Guidance

- A design guide for householder development

National Guidance

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

Planning Policy Wales (Edition 11) (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out 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 not considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; or the Well-being of Future Generations (Wales) Act's sustainable development principles. It is also considered the proposed development is not compliant with FW2040.

Other national 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 within the curtilage of an existing residential dwelling to improve living conditions. Ordinarily the principle of such development could be considered acceptable, however, in this instance it is considered the works have a significant determinantal impact upon the amenities of surrounding residents.

Impact on residential amenity and privacy

This resubmission has included new 2 metre high feather edge timber fencing along the sides of the area of decking in an attempt to address the concerns previously raised. While this gesture is acknowledged and would remove a degree of overlooking immediately either side, it is not considered the fencing would fully overcome the original concerns with direct views of the rears of the adjacent properties, at first floor level, still remaining. As such, despite the inclusion of side screening, the development is still considered unacceptable in respect of its impact upon the amenities of the adjacent neighbours.

Although the provision of fencing on both sides of the decking partially reduces the extent of overlooking, users of the decking could still look over the balustrades and directly into the amenity area and rear elevations of neighbouring properties when standing at different points on the platform.

Whilst it appears that the area where the decking is sited may have historically accommodated a level area, this would have been smaller than that of the current deck and unlikely suitable as a seating area. Given its scale and siting, the decking allows for a number of people to be sat on top for extended periods of time, having direct views towards the rear elevations and amenity spaces of the adjacent dwellings No. 2 and No. 4 due to its elevated height, an impact the new screens do not overcome. Consequently, it is considered the siting and elevated position of the decking results in an un-neighbourly form of development that forms a source of nuisance and disturbance, resulting in an unacceptable loss of privacy and amenity to the adjacent neighbouring properties.

Whilst it is noted that the neighbouring property, 2 Pleasant Heights, benefits from an area of raised decking of a similar design and scale, it does not benefit from planning permission and has therefore been given limited weight during the consideration process. These works are also under separate investigation by the Council's Planning Enforcement section.

Taking the above into account, the proposal is considered unacceptable in this regard, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's SPG on householder development.

Impact on the character and appearance of the area

Whilst the area of decking forms a significant addition to the rear of the property and inevitably forms a visible feature from both adjacent properties, it is generally considered to be of an acceptable domestic appearance and scale and is not considered to dominate the overall character and appearance of the site.

In addition, whilst the points raised by the objector around the works being visible from the front of the property are noted, views of the rear garden are limited to the gaps between properties and the works are not widely visible outside of the immediate vicinity. As such, it is considered that the structure does not detract from the character or appearance of the area.

Taking the above into account, the works are considered acceptable in this regard.

Other points raised by the objectors

The objectors raise concerns with regard to noise and disturbance and odour from the use of outdoor fire pits by the occupiers of the application property. Although these concerns are appreciated, occupiers could use the existing amenity space for such purposes. Therefore it is not considered the decking would result in any additional impact over that which could already occur.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is considered the decking as constructed, by virtue of its scale, design and elevated height results in an unneighbourly form of development that adversely impacts upon the amenity and privacy of neighbouring occupiers. An impact that has not been

overcome through the erection of side screens. The application is therefore considered contrary to Policy AW5 of the Local Development Plan and the Council's SPG on householder development.

RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:

1. The development as constructed, by virtue of its scale, design and elevated height results in an unneighbourly form of development which directly overlooks and adversely impacts upon the amenity and privacy of neighbouring occupiers. As such, the application is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's Supplementary Planning Guidance 'A Design Guide for Householder Development'.

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PLANNING & DEVELOPMENT COMMITTEE

08 June 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0216/10 (GH)
APPLICANT: Mr Durrani
DEVELOPMENT: Development of 6 terraced houses. (CIL form received 13th March 2023, corrected floor layout plan received 24th March 2023)
LOCATION: LAND ADJACENT TO 138 DUFFRYN STREET, FERNDALE, CF43 4EH
DATE REGISTERED: 24/03/2023
ELECTORAL DIVISION: Ferndale and Maerdy

RECOMMENDATION: REFUSE FOR THE FOLLOWING REASONS:

REASONS: By virtue of its relationship with the neighbouring properties located at New Street, the development would be harmful to the privacy and amenity of existing residents.

In addition, no information has been provided to assess the ecological value of the site and therefore to identify any biodiversity mitigation and enhancement measures required to make the development acceptable.

Consequently, the development would be considered not to comply with PPW11 or Policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the construction of six terraced houses on land between 138 Duffryn Street, Ferndale and Our Lady of Penrhys RC Church.

It is proposed that the six, more-or-less identical, properties would be constructed facing towards and in line with Duffryn Street, with their front elevations mirroring the curvature in the highway.

Due to the sloping topography of the site the dwellings would be of a split-level design, appearing to be of two-storey to the front. However, to the rear the arrangement would be of a height and massing comparable to a four storey property.

The open-plan living accommodation to the ground floor would incorporate a balcony at the rear with an external staircase connecting to the parking garage area. Each dwelling would include three bedrooms and a loft room.

The submitted plans demonstrate that the garage areas would be capable of accommodating between one and two vehicles and would be accessed via the rear lane off New Street. The property at the southern end of the terrace also proposes to use the garage roof as outdoor amenity space.

It is noted that the proposed development is very similar to those approved under earlier planning applications ref: 07/0866/10 and 12/1215/10.

SITE APPRAISAL

The application site is a roughly rectangular-shaped plot of vacant land covering an area of approximately 0.06 hectares located within the settlement limits of Ferndale.

The land, which is currently a grassed embankment, is situated between the gable of the existing end of terrace dwelling at 138 Dyffryn Street and Our Lady of Penrhys Church, which is Grade II listed.

The site slopes steeply from the Dyffryn Street frontage down to the adopted lane at the rear of New Street. It is understood that the site was formerly occupied by houses that were demolished many years ago.

The site is faced by a terrace of dwellings known as Oakland Villas and by the rear elevations of another terrace of dwellings in New Street. A traffic order (double yellow lines) prohibits on-street parking along the Dyffryn Street frontage of the site.

PLANNING HISTORY

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

12/1215/10: Development of 6 terraced houses (amended details received 17/04/13). Decision: 15/08/2014, Grant.

07/0866/10: Residential development of 6 new terrace houses (amended plans received 17/10/07). Decision: 15/01/2008, Grant.

PUBLICITY

The application has been advertised by direct notification to twelve neighbouring properties and notices were displayed on site. In addition, the application was subject to a press notice on the basis that the development would be considered to affect a listed building.

Four letters of objection or representation have been received raising the following matters:

- Overlooking into bedrooms and kitchens of properties at New Street below and also Oakland Villas on the opposite side of Duffryn Street.
- The flat areas above the garages and balconies are very large and overlooking the neighbours – so large that they might be used to sit out and ‘party’, which could cause unacceptable noise.
- The steps to either side of the development are privately owned.
- The development would affect views towards the listed former Church.
- The rear access is restricted and narrow and is used by children to play.
- Off-street parking would likely be insufficient and the garages are narrow. It would be difficult to manoeuvre into them.
- The pavement along the site frontage has previously been subject to some slippage and the collapsed culvert to the front of New Street causes concern.
- The road isn’t safe and the development would hinder forward visibility.

CONSULTATION

Highways and Transportation

No objections, subject to conditions for the approval of details relating to the rear access, parking, traffic management, surface water and HGV deliveries.

Flood Risk Management

Given the proposal is to develop more than one dwelling, under Schedule 3 of the Flood and Water Management Act 2010, the Developer would be required to submit an application to the Sustainable Drainage Systems (SuDS) Approval Body (SAB). The Developer would also be required to comply with Part H of the Building Regulations.

The Applicant has outlined that surface water will be disposed of via the main sewer. The principal of a reduction of the discharge to the existing drainage network provides a betterment to the existing situation which would be acceptable from a surface water flood risk perspective subject to asset operator approval for the connection, i.e., DCWW. A condition would therefore be required for the submission of details for approval.

Public Health and Protection

No objection, conditions are recommended with regard construction hours of operation, noise, dust and waste.

Dwr Cymru Welsh Water

DCWW notes that the developer has indicated that foul and surface water flows are to be disposed of via the public sewerage system and there would be no objection in principle to the foul flows only discharging to the public sewer. However, there is no justification within the submitted application as to whether sustainable methods of surface water drainage have been investigated. In the absence of this information and to ensure there is no detriment to the public sewerage system a condition would be required.

National Grid

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

Countryside, Landscape and Ecology – Ecologist

The grass, which includes bramble and rough area, is quite large, which suggests potential for slow worm. A Preliminary Ecological Appraisal would be needed to identify baseline biodiversity conditions, mitigation and enhancement.

Waste and Recycling

The bin collection point would need to be at the kerbside on Duffryn Street.

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 is 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 Ferndale.

Policy CS1 - the policy emphasis in the Northern Strategy Area is on sustainable growth that protects the culture and identity of communities and supports the Principal Towns and Key Settlements.

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

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

Policy AW5 - 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 - aims to protect the historic built environment from inappropriate development.

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

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

Policy NSA10 - permits proposals with the net residential housing density is a minimum of 30 dwellings per hectare.

Policy NSA12 - requires housing development within the settlement boundary to be accessible to local services by a range of sustainable transport modes without adversely affecting the highway network or provision of car parking in the surrounding area.

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 the location of the proposed development would be compliant with the general aims of 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.

However, for the reasons set out further below, it is considered that the proposed development would neither be consistent with the key principles and requirements for placemaking set out in PPW; nor the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 18: Transport

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

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

Main Issues:

Principle of the proposed development

The application relates to the construction of a residential development on an unallocated site within the settlement boundary. In principle, the LDP is supportive of infill developments in such locations and Policy AW1 reflects that the housing needs will be partly met by windfall sites.

Furthermore, Policy CS1 is favourable to developments which will support Principal Towns and Key Settlements like Ferndale and, like PPW11, promotes the re-use of previously developed sites.

In respect of Policy AW2, the development site is not subject to any designations that would conflict with its criteria and thus, could be considered to occupy a sustainable location.

Concerns relating to access and car parking are set out further below and although Policy NSA12 requires development not to adversely affect the local highway network, or the provision of car parking in the surrounding area, Members will note that the Council's Highways and Transportation Section has not raised objections in this instance.

Taking into account the above and the planning history for the site, the latter being considered to carry some material weight in favour of the proposed development, there are no objections to generally developing the site in principle.

Impact on the character and appearance of the area

With regard to the impact of the development on the character and appearance of the area; it is considered that the use of the site for residential development would be in keeping with the residential character of the surrounding street scene.

It is considered that the principal elevations of the new dwellings would follow the form and general character of the existing dwellings further to the north-west and along the opposite side of Duffryn Street. The proportions of the houses, and design features such as size of openings and inclusion of bays, together with the traditional external finishes, would be sympathetic to the established Victorian style.

It is also noted that the houses at each end of the terrace would incorporate a front facing gable to the roof, which is something typical of Victorian terraces where long rows would be punctuated by this kind of feature.

The dwellings would also be of a similar ridge and eaves height to the neighbouring terraced houses in Dyffryn Street although to the rear, the new elevations would appear to be of a greater mass.

Unlike the existing development on this side of Duffryn Street, where the terraces are three storey to the rear and have yards sloping towards the rear lane, the development would be engineered to allow for the off-street parking. The downside of this approach is that is a concern that the scale of the six houses might appear excessive and there is no usable amenity space, save for balconies.

However, it is appreciated that in common with the adjacent dwellings in Dyffryn Street the slope of the land limits the potential to create a reasonably sized and useable garden space, unless the off-street parking is dispensed with. Therefore, whilst there are concerns about the appearance of the rear elevations, in terms of their design and visual impact, there is no objection on balance.

The consequences of the proposal for the setting of the adjacent Our Lady of Penrhys Church building, which is Grade II Listed, have been considered.

The former Church occupies a prominent corner location on the junction between Duffryn Street and New Street. The most striking, visually and architecturally interesting facades are the corner, eastern gable end and the north facing rear elevation towards New Street, neither of which would be affected by the proposal.

Although the setting of the property on its southern elevation facing Duffryn Street and the rear western gable would be affected, these elevations are largely plain and functional and any impact is not considered to be harmful.

Consequently, there are no concerns in respect of the impact of the proposal on the setting of the Listed Building or on its character and appearance within the wider street scene.

The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area in accordance with the provisions of Policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

Impact on neighbouring occupiers

In terms of the compatibility between the proposed and existing neighbouring residential land uses, the development would be acceptable.

With regard to the properties at Oakland Terrace on the opposite side of Duffryn Street, the representations from objectors have been considered and although there would be a minimum gap of 13.75m between opposing elevations, Oakland Terrace is set at a higher level than the application site. It is therefore unlikely that intrusive views would be possible from the development towards bedrooms.

The change to outlook for those existing residents is recognised, but since there would be that difference in site levels, it is not considered that the impact to outlook or privacy would be harmful to a significant degree.

In respect of the other neighbouring dwellings at New Road, it is clear from historic mapping that the site once accommodated a row of terraced dwellings, which would have replicated the back-to-back relationship that is evident between the terraces further along Duffryn Street and New Road. It is probable that the proximity of those opposing elevations will have enabled views from the higher properties towards the habitable rooms of the others.

Nonetheless, whilst it is acknowledged that the aforementioned previous applications for six dwellings on this site have benefitted from planning permission and been considered acceptable in terms of neighbour amenity, greater material weight is now given to those matters in respect of placemaking and wellbeing and the impact on the properties below is not considered to be acceptable on account of the following:

Firstly, the application site does comprise previously developed land and although any previous consents have not been implemented, this does not constitute abandonment. The land has also evidently been subject to some maintenance.

However, a longstanding resident has advised that the former buildings were demolished in the 1980s on safety grounds, so whilst the land is indeed previously developed in a technical sense, this was over a generation ago. Therefore, any arguments that the proposed development ought to be considered acceptable on the basis that a similar form of development once occupied the site is considered to be of minimal relevance.

Secondly, the distance between the rear elevations of the new houses and those on New Road would be a closer relationship than that which exists between the extant properties further along New Road and Duffryn Street, where there are gaps of between circa 13.7m and 22m. By comparison, the minimum gap between plot 2 and no. 74 New Road would be 13.2m, or just 11.5m if the balcony is taken into account.

Therefore, the proximity of the new elevations and their balconies, together with the considerable difference in height, would be considered to cause unacceptable intrusive views towards the four or five properties directly below them. The four storey scale and mass of their elevations would also be considered to be harmful to outlook as they would dominate any views from the rear of New Road towards the south-west.

Lastly, there is a concern that the proximity of the side elevation of plot 1 to that of the former Church, which contains a number of windows, including a large double height window.

If the building was still operating as a place of worship and therefore not permanently inhabited, this matter might have been of less concern and any detrimental impact harder to evidence. Nevertheless, it is understood that those windows now serve the habitable rooms of a dwelling and it is clear that the development would cause an unacceptable overshadowing relationship.

Therefore, for the reasons set out above, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered not to comply with LDP Policy AW5.

Access and highway safety

Previous History

Applications 07/0866 & 12/1215/10 were granted permission for six dwellings subject to conditions. Although concerns were highlighted regarding the sub-standard size of the garages to accommodate two family cars no highway objections were raised.

Site location

The site is located on a vacant parcel of land between 138 Dyffryn Street, Ferndale (A4233) & Lady of Penrhys RC Church.

There are double yellow lines to the front of the site preventing on-street car parking along the A4233, for the purposes of maintaining the free flow of traffic and highway safety given that this is the main route through the Valley.

On the opposite side of the road to the site there are parking bays which are used by existing residents of Oakland Terrace. There is high demand for on-street car parking in the vicinity of the site due to the nature of terraced dwellings with limited off-street car parking facilities.

At the rear of the site there is a publicly maintained lane via which it is proposed to provide a secondary access to the rear parking areas / garages of the new dwellings. The lane measures between 2.7m – 3m in width.

The proposal would widen the rear lane to 4.1m which in turn would allow for two standard cars to pass one another and reduce the need for vehicle reversing movements.

Parking

The Council's SPG for Access, Circulation & Parking advises that the proposed six 3-bedroom dwellings would require a total 18 off-street car parking spaces and 1 visitor space. The submitted plans propose to provide a total of 11 off-street car parking spaces.

However, with the access stairs using part of their floor space, the proposed garages would be sub-standard in width to accommodate the two car parking spaces side by side.

Therefore, it is considered that only 1 useable space has been provided for plots 2-6 and with regard to plot 1, which is adjacent to the former Church, the proposed parking is sub-standard in width and length and would not be considered able to provide for any off-street car parking.

Consequently, the proposed housing scheme would be 14 off-street car parking spaces short in of the SPG requirement.

Furthermore, the proposed 4.1m lane width to the rear, including the area of apron would be sub-standard to cater for access / egress from the garages which in turn would likely result in the garages not being used for parking at all. This would cause displacement of vehicles to park on the local highway network, which would be detrimental to highway safety.

Therefore, the proposed development is not satisfactory and would lead to on-street parking in an already congested area to the detriment of safety to all highway users and free flow of traffic.

Pedestrian Access

There are continuous pedestrian links leading to the proposed which are satisfactory for safe access. Adjacent to plots 1 & 6 would be via existing stepped footway links leading to the rear lane.

Accident Data

There are 3 reported accidents within the vicinity of the site. The Highway Authority's view is that any intensification of on-street car parking at this location will further exacerbate the highway safety concerns.

Summary

Despite the above concern, taking into account the previous applications 07/0866/10 and 12/1215/10 were granted permission with a number of highway related conditions and given that the current scheme is similar, on balance no highway objection is raised.

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

As outlined above It is considered the proposed six dwellings would enable overlooking of neighbouring properties located at New Street and the height, massing and proximity of their elevations would be harmful to the outlook of existing residents.

Furthermore, both national and local policy requires new development to demonstrate that there would be no unacceptable impact relating to ecology, and in addition to mitigation of any impacts there should be an identifiable biodiversity net gain. However, no ecological assessment has been provided in this case.

Therefore, the development would have an unacceptable impact on the residential amenity of neighbouring properties which, taken together with the absence of any ecological supporting information, means that the application would not comply with PPW 11 or Policies AW5, AW6 and AW8 of the Local Development Plan.

RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:

1. By virtue of its relationship with the neighbouring properties located at New Street, the development would be harmful to the privacy and amenity of existing residents.

In addition, no information has been provided to assess the ecological value of the site and therefore to identify any biodiversity mitigation and enhancement measures required to make the development acceptable.

Consequently, the development does not comply with PPW11 or Policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

PLANNING & DEVELOPMENT COMMITTEE

24th APRIL 2023

SITE MEETING

APPLICATION NO: 23/0004 Change of use to Mixed use development consisting of a residential dwelling Class C3) and child minding facility (Class D1) 5 WOODLAND CRESCENT, ABERCYNON, MOUNTAIN ASH, CF45 4UT.

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION

Author: Kate Spence, Council Business Unit. __

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

It is recommended that Members:

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

3. BACKGROUND

- 3.1 In accordance with Minute No 243 (Planning and Development Committee – 6th April 2023) a site inspection was undertaken on Monday 24th April 2023 to consider the potential impact of music from the premises on the surrounding area.
- 3.2 The meeting was attended by the Planning and Development Committee Members County Borough Councillors S. Rees, W. Lewis, L A Tomkinson and R Williams, and Local Member, County Borough Councillor R Lewis.

- 3.3 Apologies for absence were received from Planning and Development Committee Member County Borough Councillor J Bonetto and Local Member, County Borough Councillor A J Dennis.
- 3.4 Members met at the front of the property on Woodland Crescent, Abercynon, Mountain Ash. The Planning Officer advised Members that a change of use is sought to mixed used development consisting of a residential dwelling (Class C3) and child minding facility (Class D1).
- 3.5 The Planning Officer advised Members that objections had been received from 11 individuals in respect of the application, regarding use of the road to the rear of the property, and associated noise.
- 3.6 The Planning Officer advised that the application has a recommendation of approval, as the proposed development would be compatible with surrounding uses and would not result in an adverse impact upon either the character of the site, the amenity of neighbouring occupiers or highway safety.
- 3.7 Members queried turning facilities on Woodland Crescent. The Highways Officer confirmed that turning could be achieved using the side road, preventing use of the road to the rear of the property, that is privately maintained by residents.
- 3.8 Members queried proposed staffing arrangements of the child minding facility with the applicant who was also present. The applicant confirmed that herself would be the sole staff member.
- 3.9 Local Member, County Borough Councillor R Lewis communicated the concerns of local residents, notably regarding the increased vehicular use to the immediate highways, turning facilities and parking, and asked that the Planning and Development Committee Members present visit the privately maintained highway to the rear of the property.
- 3.10 Members visually inspected the privately maintained highway to the rear of 5 Woodland Crescent.
- 3.11 The Chair thanked the Officers for the report and closed the meeting (10:13am).

4. OTHER MATTERS

- 4.1 Since the site inspection was undertaken on Monday 24th April, the Local Planning Authority have received additional late letters from third parties commenting on this application. Letters of objection were received from two individuals who raised the following points of concern:

- Concerns with parking, in particular along Knight's Terrace;
- Concerns with Highway Safety and a lack of turning points;
- Raise concerns that there is a private road to the rear of the property, which residents maintain;
- Concerns with the consultation process undertaken;
- Concerns that the use would be maintained specifically as a Childcare Facility, and no other uses within that Use Class (D1);
- Objects to utilising the rear lane for access.

4.2 Members are advised that these concerns have already been submitted by objectors following the initial consultation process, and that the concerns raised are addressed in the original report.

4.3 Members are also advised that following the site visit meeting and having further considered the development proposal, that it is considered prudent to restrict the use of the property to child minding purposes only as other uses within Class D1 might not be appropriate at this residential location. As such, if Members are of a mind to grant planning permission, it is suggested that the following condition should also be attached to the planning consent:

'The premises shall only be used as a mixed residential dwelling (Class C3) and Child-Minding Facility (Class D1) and for no other purpose; including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any statutory instrument revoking and re-enacting that Order. When the use hereby approved ceases, the premises shall revert back to its original Class C3 use as a dwelling house only.'

Reason: In the interests of the residential amenity of neighbouring occupiers and to define the scope of the consent, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.'

PLANNING & DEVELOPMENT COMMITTEE

06 April 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0004/10 (GRD)
APPLICANT: Mrs R Johns
DEVELOPMENT: Change of use to Mixed use development consisting of a residential dwelling (Class C3) and child minding facility (Class D1)
LOCATION: 5 WOODLAND CRESCENT, ABERCYNON, MOUNTAIN ASH, CF45 4UT
DATE REGISTERED: 11/01/2023
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS.

REASON: The application proposes the change of use of an existing dwelling to a mixed-use development consisting of a residential dwelling (Class C3) and child-minding facility (Class D1).

The development is small in scale and would provide additional facilities in an area where there is an identified need. The proposal would be compatible with surrounding uses and would not result in an adverse impact upon either the character of the site, the amenity of neighbouring occupiers or highway safety. Consequently, the proposal is considered acceptable and in line with relevant policies of the Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

- The application has received three or more objections to the proposal, and the Development Control Service wish to recommend approval of the application contrary to those objections.

APPLICATION DETAILS:

Full planning permission is sought for the change of use of an existing dwelling to a mixed-use development consisting of a residential dwelling (Class C3) and child-minding facility (Class D1).

No external or internal alterations are proposed, and in terms of physical alterations, the property will be maintained as existing.

The proposed child-minding facility at the property would operate Monday to Friday between the hours of 0800-1800. One member of staff is proposed, and the child-minding facility would cater to a maximum number of 10 children between the ages of 6 months and 12 years in age.

SITE APPRAISAL:

The application site relates to a detached two-storey property, located within a residential area of Abercynon.

The property benefits from a garden and driveway to the front, with an enclosed garden to the rear. The property faces the adjacent highway to the south and is bound by a rear lane to the north.

Neighbouring properties and their associated amenity spaces adjoin the application site to the east and west, with other residential properties in close proximity located to the north of the site, beyond the rear lane.

PLANNING HISTORY:

05/1368/10: 5 WOODLAND CRESCENT, ABERCYNON, MOUNTAIN ASH, CF45 4UT: '*Construct blockwork building to rear of property to provide garden storage facility*'. Granted, 18/11/2005

PUBLICITY:

The application has been advertised by site notice, posted near the application site and by direct notification to neighbouring properties. Objections have been received from 11 individuals, who have raised the following points of concern and objections:

The proposed use is out of character and inappropriate in a residential area;

- Increase in noise levels due to children playing in the garden, and noise pollution more generally;
- Concerns with additional and increased volume of traffic and vehicular movements, to the detriment of highway safety;
- Woodland Crescent is inadequate as a Highway to serve the proposed development;
- Parking concerns, including insufficient parking within the street and area at present, and concerns with additional parking demand generated by the development;
- Objections were raised with regards to utilising the rear lane for pick up and drop offs in connection with the development;
- Concerns with access to Woodland Crescent and wider residential area. Objectors note that the access bridge to the area is only single-traffic and additional vehicles would cause concerns in terms of highway safety;
- The property should be maintained as a child-minding facility with no other uses at the site;

- Several Objection and letters of concern were raised with regards to additional traffic and vehicular movements generated by the development along Alexandra Place, which is an unadopted private road to the rear of the site. Objectors have raised concerns that the road is maintained by residents, and that additional traffic could cause damage to the road at Alexandra Place, and that additional traffic would adversely impact access, parking and the free flow of traffic along the private road.
- Capacity of foul sewerage in the area;
- Loss of value to neighbouring properties;
- Concerns raised with regards to the consultation process.

CONSULTATION:

Public Health and Protection

No Objection, Subject to Conditions

Local Highway Authority

No Objection, Subject to Condition

Dwr Cymru/ Welsh Water

No Objection, Subject to Condition and Advisory Notes

Waste Services

No Comments Received

Children and Community Services

Support the Application

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

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

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

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

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

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

Supplementary Planning Guidance:

Design and Placemaking

Access, Circulation and Parking

National Guidance:

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note 11 – Noise

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 23 – Economic Development

REASONS FOR REACHING THE RECOMMENDATION:

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

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

Main Issues:

Principle of the proposed development:

The application proposes the change of use of the property to a mixed-use development consisting of a residential dwelling (Class C3) and child-minding facility (Class D1), caring for up to 10 children at any one time.

The application site is situated within settlement boundary limits, within an established residential area where it would not be uncommon to find such small scale uses. No external alterations are proposed, and the primary use of the property would continue to be that of a residential dwelling. Overall, it would not be considered that the provision of a small childminding business, with one member of staff would significantly alter the general character of the area.

Planning Policy Wales (PPW) also states that the planning system should support mixed use developments, including flexible live/ work units where these are appropriate. The development would provide the applicant the opportunity to work from home, along with providing a childminding facility for the benefit of the wider community.

The proposal is therefore considered acceptable in principle, subject to other normal planning considerations, such as any potential impact upon the amenity of neighbouring occupiers and the impact of the change of use upon access and highway safety.

Impact on the character and appearance of the area:

No external alterations are proposed. The application site and property, when viewed from the street and adjacent dwellings would therefore remain unaltered. Consequently, the proposed change of use would not adversely impact upon the character of the area.

Overall, the development would be considered to have an acceptable impact upon the character of the site and wider area.

Impact on residential amenity and privacy:

One of the main issues with regards to the proposal is whether the development would cause an increase in noise and disturbance to nearby residential properties.

The application site comprises a detached property with a rear and front garden and is in a predominantly residential area. The application site adjoins two neighbouring properties and their associated amenity spaces, with other dwellings and their associated garden spaces also located near the site.

The proposed development is the change of use of the dwelling to allow for an additional use of the property for a childminding business for up to 10 children. The business would operate Mondays to Fridays, between the hours of 0800 to 1800.

The proposed use will inevitably result in an increase in noise from the increase in numbers of children at the property and using the garden/ outdoor areas, in addition to the noise of vehicles as children are dropped off or collected. However, cars are already parked along the road and to the front of these properties, where it would be likely that neighbouring occupiers already experience some degree of noise and disturbance from the highway and from other residents entering and leaving cars and properties, particularly during the morning and evenings.

While the overall numbers of children proposed is higher than normally expected in a domestic setting, the small numbers that would likely use the outdoor spaces at any one time would not be unusual. Although the garden space is adjoining neighbouring gardens, children playing in a garden is normal noise associated with domestic use and is a reasonable use of the space for children to play. Furthermore, the rear garden is relatively enclosed which would somewhat lessen noise emanating from the site.

With only one member of staff being proposed, there are also limits in terms of the ages and number of children which could be cared for at the site at any one time. Under the 'National Minimum Standards for Regulated Childcare for children up to the age of 12 years' childminders may care for no more than 10 children under 12;

- of those 10 children, no more than six may be under 8 years of age;
- no more than three children may be under the age of 5;
- normally no more than two children may be under 18 months of age, although exceptions can be made for siblings.

Due to the nature and scale of the business, it is unlikely that the maximum of 10 children would be at the property at any one time, or throughout the day, and in line with the aforementioned guidance, it is unlikely that several very young children would be at the property at any one time, lessening any possible disturbance and noise emanating from the site.

Objectors have noted that the proposed use is out of character and inappropriate in a residential area, and concerns have been raised with regards to an increase in noise levels and noise pollution; however, as discussed within this report, the proposal is considered acceptable in terms of its impact on nearby residential properties. The childcare facility would be small in scale, with reasonable and appropriate operating hours. Overall, it is not considered that the development would cause significant harm to the living conditions of nearby residential occupiers regarding noise and other disturbances.

Access and Highway Safety:

Access:

Primary access to the existing dwelling and application site is served off Woodland Crescent. There is considerable demand for on-street car parking fronting the dwellings on Woodland Crescent with limited off-street car parking facilities.

Several letters of objection were received by third parties noting that the highway network serving the proposed development is inadequate, and that an increase in traffic and vehicular movements at this location would be detrimental to highway safety. However, the Local Highway Authority have noted that Woodland Crescent has a carriageway width of 5.0m and a 1.8m footway on the development side and have raised no objection to the proposal based on access arrangements. Concerns were also raised with regards to the existing road and single-traffic bridge which gives access to this part of Abercynon. However, following consultation, the Local Highway Authority have raised no such concerns.

Objectors have also raised concerns regarding additional traffic and vehicular movements using Alexandra Place, which is an unadopted private road to the rear of the application site. Third parties are concerned that the development would increase traffic along the private road which could cause damage to the road, which is maintained by residents, and would adversely impact access, parking and the free flow of traffic along the private Road. However, the application site is located along Woodland Crescent, which is an adopted Highway and access and egress to and from the application site and proposed development can also be undertaken along adopted highways. The issue of allowing the applicants or those using the proposed childminding facility to use the private road along Alexander Place to the rear of the application site is

considered a private matter between residents other third parties and the owners of said private road.

Rear Service Lane:

To the rear is an unmade access lane providing rear access to the property. The applicant has stated that the rear lane will be used for the pickup and drop off of children to the proposed childminding facility. The Local Highway Authority consider that the rear lane is unsuitable as a primary access to the proposal and objectors have also raised concerns with regards to utilising the rear lane for pick up and drop offs in connection with the development. The rear lane is lacking in width as a shared use for vehicles and pedestrians, with a lack of permanent surfacing, no street lighting, sub-standard junction radii and sub-standard vision, increasing hazards to all highway users. Consequently, a condition is recommended to any grant of planning permission restricting the use of the rear lane and outlining that no means of access or egress to and from the Child-Minding Facility shall be undertaken via the rear service lane,

Trip Generation:

Planning permission is sought for up-to 10 children at the premises, which could potentially generate up-to a maximum of 20 additional vehicular trips per day along Woodland Crescent, should the facility operate at a maximum level every day.

On-Street Parking:

It is noted that there is a considerable demand for on-street car parking along Woodland Crescent fronting the application site. Concerns were also raised by third parties with regards to insufficient parking at present, with further parking demand generated by the development. However, the Local Highway Authority consider that there is potential to park on-street for short durations a short distance from the application site on Knights Terrace and Woodland Crescent during pick up and drop off. It is therefore considered that the proposal would have minimal impact on the existing highway network, and on balance the proposal is considered acceptable in terms of parking arrangements.

Access and Highway Safety Conclusion:

The proposal will result in additional vehicular movements along Woodland Crescent and will generate on-street parking demand for short durations during pick up and drop off. However, the Local Highway Authority have raised no objection to the proposal in terms of access and highway safety and consider that taking into account there is space available on-street in close proximity to the application site, the proposal would not impact on the flow of vehicular traffic and on-balance the proposal is considered acceptable in terms of access and highway safety.

Other Matters:

Public Health and Protection:

Following Consultation, The Council's Public Health, and Protection department have raised no objection to the proposal and have recommended conditions relating to the number of children at the site, opening hours and the delivery times of commercial waste collection vehicles. However, due to the scale of operations proposed, it is not considered necessary to include a condition restricting the delivery times of commercial waste collection vehicles to and from the site. Notwithstanding, an advisory note is recommended which advises the applicant that any commercial or trade waste generated at the site must be disposed of and collected by a registered recycling and refuse carrier.

Dwr Cymru/ Welsh Water and Sewerage

Concerns were raised by third parties with regards to capacity of the foul sewerage system in the area. However, following Consultation, Dwr Cymru/ Welsh Water have raised no objections to the proposal.

Dwr Cymru/ Welsh Water have recommended a condition preventing any any increase in the roof area of the building /or impermeable surfaces from draining into the public sewerage system. However, no external works are proposed and as such, the condition is not considered necessary. Some advisory notes have also been recommended.

Children and Community Services:

Consultation was undertaken with the Council's Children's and Community Services Department who have noted that under the Childcare Act 2006, all Local Authorities in Wales have a statutory duty to ensure sufficient childcare (where practicable).

The current Childcare Sufficiency Assessment (CSA), which runs from 2022 to 2027 has identified that there are no Care Inspectorate Wales (CIW) registered childminders in the Abercynon ward at present. Consequently, the Council's Children's and Community Services department consider that there is an identified need for childminders in the Abercynon area, and strongly support this planning application.

Third Party Objections:

Objection letters were received with regards to a loss of value to neighbouring properties; however, this would not be considered a material planning consideration for this application.

Furthermore, concern was raised with the consultation process undertaken as part of this planning application. However, the Local Planning Authority (LPA) posted a site notice near the land to which the application relates, served notice on adjoining owners/ occupiers, and published the information on the Council's website. Consequently, the LPA undertook proper consultation and publicised

the application in line with The Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Community Infrastructure Levy (CIL) Liability:

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

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

Conclusion:

The application proposes the change of use of an existing dwelling to a mixed-use development consisting of a residential dwelling (Class C3) and child-minding facility (Class D1).

The development is small in scale and would provide additional facilities in an area where there is an identified need. The proposal would be compatible with surrounding uses and would not result in an adverse impact upon either the character of the site, the amenity of neighbouring occupiers or highway safety. Consequently, the proposal is considered acceptable and in line with relevant policies of the Local Development Plan.

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 plan no's

- Site Location Plan. Title Number: WA762768;
- Floorplans. Received by Local Planning Authority 10/01/2023

And documents received by the Local Planning Authority on 04/01/2023, 09/01/2023, 10/01/2023, 11/01/2023 and 22/02/2023 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 childminding facility hereby permitted shall operate only between the following hours: 0800 – 1800 Mondays - Fridays

Reason: To ensure that the operation of the use is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW5 and Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. The maximum number of children cared for at the site shall be no more than 10 at any one time.

Reason: In the interests of neighbour amenity and in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development plan.

5. The means of Access and Egress to and from the Child-Minding Facility, hereby approved, shall be off Woodland Crescent only. There shall be no means of access or egress to and from the Child-Minding Facility, hereby approved, via the rear service lane at any time.

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

PLANNING & DEVELOPMENT COMMITTEE

08 JUNE 2023

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 10/04/2023 – 26/05/2023

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

06 APRIL 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

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

OFFICER TO CONTACT

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

See Relevant Application File

APPEALS RECEIVED

APPLICATION NO: 22/0492
APPEAL REF: CAS-02404-M1W4J7
APPLICANT: Miss R Green
DEVELOPMENT: Hard standing (retrospective) and dropped down kerb access over public footpath.
LOCATION: 36 ABER-RHONDDA ROAD, PORTH, CF39 0BB
APPEAL RECEIVED: 14/12/2022
APPEAL START DATE: 24/04/2023

APPLICATION NO: 22/0097
APPEAL REF: CAS-02413-S2F1C3
APPLICANT: Mr A Noor
DEVELOPMENT: Construction of extension to restaurant and increase carparking spaces.
LOCATION: BOMBAY BLUE, CARDIFF ROAD, TAFF'S WELL, CARDIFF, CF15 7SS
APPEAL RECEIVED: 15/12/2022
APPEAL START DATE: 10/05/2023

APPLICATION NO: 22/1024
APPEAL REF: CAS-02475-B8L1H1
APPLICANT: Mr M Steed
DEVELOPMENT: New dwelling and associated works.
LOCATION: 4 STATION ROAD, TONYREFAIL, PORTH, CF39 8ER
APPEAL RECEIVED: 24/01/2022
APPEAL START DATE: 03/05/2023

APPLICATION NO: 22/1270
APPEAL REF: CAS-02599-L8X8P3
APPLICANT: Mr I Connolly
DEVELOPMENT: Single dwelling, associated external works, drive access and parking in curtilage of Woodlodge (Re-submission of 21/1429/10)..
LOCATION: WOOD LODGE, YNYSHIR ROAD, YNYS-HIR, PORTH, CF39 0RG
APPEAL RECEIVED: 07/03/2023
APPEAL START DATE: 17/05/2023

APPLICATION NO: 22/1291
APPEAL REF: CAS-02660-V2G6B3
APPLICANT: Mr R Tann
DEVELOPMENT: Retrospective application for rear garden timber decking
LOCATION: TY HEB ENW, FENWICK STREET, PONT-Y-GWAITH,
FERNDALE, CF43 3LW
APPEAL RECEIVED: 05/04/2023
APPEAL START DATE: 17/04/2023

APPEAL DECISION RECEIVED

APPLICATION NO: 21/1492
APPEAL REF: CAS-02240-M0G9N8
APPLICANT: Green Frog Power Ltd
DEVELOPMENT: Change of use to a battery storage facility and ancillary Western Power Distribution 132kV electricity substation with associated access track to highway.(Additional Plans submitted 21/01/2022)(Landscape Visual Impact Assessment and Landscaping Scheme received 31/01/2022)
LOCATION: POUND FARM LANE TONTEG CF38 1SU
DECIDED: 04/04/2022
DECISION: Refused
APPEAL RECEIVED: 18/10/2022
APPEAL DECIDED: 26/05/2023
APPEAL DECISION: Dismissed

APPLICATION NO: 21/1694
APPEAL REF: CAS-02150-J3W4R0
APPLICANT: Mr B M Jones
DEVELOPMENT: Construction of 2 no.detached dormer bungalows with private drive access (amended plan rec. 15/03/22)
LOCATION: PENRHIW, COED ISAF ROAD, MAES-Y-COED,
PONTYPRIDD, CF37 1EN
DECIDED: 20/04/2022
DECISION: Refused
APPEAL RECEIVED: 22/08/2022
APPEAL DECIDED: 11/05/2023
APPEAL DECISION: Dismissed

APPLICATION NO: 22/0140
APPEAL REF: CAS-02248-F9C0H7

APPLICANT: Mr Rhys Williams
DEVELOPMENT: Proposed to remove the privet and conifer hedges from the boundary at the front and east elevation (fronting Talbot Road and the junction with the A4119) and build a solid brick boundary wall between 1500mm and 1800mm in height (not exceeding 6 foot high) from the public side.
LOCATION: **WOODLANDS, 111 TALBOT ROAD, TALBOT GREEN, PONTYCLUN, CF72 8AH**
DECIDED: 31/03/2022
DECISION: Granted
APPEAL RECEIVED: 18/10/2022
APPEAL DECIDED: 26/05/2023
APPEAL DECISION: Allowed with Conditions

APPLICATION NO: 22/0697
APPEAL REF: CAS-02238-T1D4Q4
APPLICANT: Mr Y Patel
DEVELOPMENT: Balcony with frosted glass balustrade (retrospective).
LOCATION: **130 RHYS STREET, TREALAW, TONYPANDY, CF40 2QQ**
DECIDED: 05/09/2022
DECISION: Refused
APPEAL RECEIVED: 13/10/2022
APPEAL DECIDED: 10/05/2023
APPEAL DECISION: Dismissed

APPLICATION NO: 22/1196
APPEAL REF: CAS-02410-N3Y3L9
APPLICANT: Mr C Downes
DEVELOPMENT: Car port on driveway
LOCATION: **15 WOODLAND VIEW, CHURCH VILLAGE, PONTYPRIDD, CF38 1RW**
DECIDED: 28/11/2022
DECISION: Refused
APPEAL RECEIVED: 14/12/2022
APPEAL DECIDED: 24/04/2023
APPEAL DECISION: Dismissed

APPLICATION NO: 22/1362
APPEAL REF: CAS-02477-K9V4S4
APPLICANT: Mr S Williams
DEVELOPMENT: Double garage attached to dwelling

LOCATION: 4 BELVOIR COURT, CROSS INN, LLANTRISANT,
PONTYCLUN, CF72 8BJ

DECIDED: 19/12/2022

DECISION: Refused

APPEAL RECEIVED: 24/01/2023

APPEAL DECIDED: 12/04/2023

APPEAL DECISION: Allowed with Conditions

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23/0461/31 Decision Date: 16/05/2023
Proposal: Upgrade to telecommunications base station

Location: CWMBACH INDUSTRIAL ESTATE, CANAL ROAD, CWM-BACH, ABERDARE

Aberdare West/Llwydcoed

21/0778/10 Decision Date: 16/05/2023
Proposal: Re-profiling works to garden.

Location: 5 PLASMARL, LLWYDCOED, ABERDARE, CF44 0UD

Tonypandy

23/0263/10 Decision Date: 21/04/2023
Proposal: Change of Use from Betting Office (Use Class A2) to Pizza Restaurant including Takeaway (Use Class A3)

Location: LADBROKES PLC, 110 DUNRAVEN STREET, TONYPANDY, CF40 1AS

23/0268/10 Decision Date: 11/04/2023
Proposal: Proposed single storey extension and raised decking

Location: 3 PRIMROSE STREET, TONYPANDY, CF40 1BW

23/0373/10 Decision Date: 11/05/2023
Proposal: 3 detached garages, boundary wall/fences and retaining wall not exceeding 2m

Location: LAND TO THE REAR OF TRINITY ROAD, TONYPANDY

Aberaman

23/0241/10 Decision Date: 20/04/2023
Proposal: Attic conversion with minor changes to first floor, 2 number dormers

Location: 39 PARC ABERAMAN, ABERAMAN, ABERDARE, CF44 6EY

23/0369/10 Decision Date: 25/05/2023
Proposal: Alterations

Location: 46 REGENT STREET, ABERAMAN, ABERDARE, CF44 6ET

23/0457/10 Decision Date: 26/05/2023
Proposal: Proposed extension to attic accommodation

Location: 20 MAESYFFYNON GROVE, ABERAMAN, ABERDARE, CF44 6PJ

Abercynon

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Abercynon

22/0590/10 Decision Date: 10/05/2023
Proposal: Proposed side extension and rear dormer extension (amended plans received 01/08/2022 and 20/04/2023).
Location: 80 GREENFIELD TERRACE, ABERCYNON, MOUNTAIN ASH, CF45 4TN

22/0858/10 Decision Date: 05/05/2023
Proposal: Change of use from Dog Groomers to General Hardware and Discount store (Use Class A1).
Location: 1 MAIN ROAD, ABERCYNON, MOUNTAIN ASH, CF45 4BX

23/0157/10 Decision Date: 25/05/2023
Proposal: Pair of semi detached garages
Location: LAND OPPOSITE 9 WOODLAND TERRACE & KNIGHTS TERRACE, ABERCYNON

23/0265/10 Decision Date: 04/05/2023
Proposal: Proposed single storey rear extension
Location: 66 GREENFIELD TERRACE, ABERCYNON, MOUNTAIN ASH, CF45 4TL

Aberdare East

23/0243/15 Decision Date: 03/05/2023
Proposal: Variation of condition 1 of application 17/0984/10 extension of time for a further 5 years.
Location: LAND AT HURST GROVE (NORTH OF 1B FORGE PLACE), ABERNANT, ABERDARE, CF44 0SE

23/0289/10 Decision Date: 09/05/2023
Proposal: Changes to elevations with the construction of extensions totalling 53.4 sqm, to accommodate replacement drive thru booths, new section of shopfront and extended BOH areas to incorporate a new corral. Existing
Location: MCDONALDS RESTAURANT, DEPOT ROAD, GADLYS, ABERDARE, CF44 8DL

23/0359/11 Decision Date: 11/05/2023
Proposal: Purple Plaque to be installed on the front right-hand side of the Cynon Valley Museum building.
Location: CYNON VALLEY MUSEUM AND GALLERY, DEPOT ROAD, GADLYS, ABERDARE, CF44 8DL

Aberdare West and Llwydcoed

23/0205/10 Decision Date: 20/04/2023
Proposal: Two storey rear extension
Location: 16 BRIDGE STREET, ROBERTSTOWN, ABERDARE, CF44 8EU

23/0246/10 Decision Date: 04/05/2023
Proposal: Side extension, porch and internal alterations
Location: 11 CYPRESS COURT, CWMDARE, ABERDARE, CF44 8YB

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Beddau and Tyn-y-nant

22/1396/10 Decision Date: 12/04/2023

Proposal: First floor extension above garage

Location: WOODSIDE, LLANTRISANT ROAD TO NEWBRIDGE ROAD, BRYNTEG, BEDDAU, PONTYCLUN, CF72 8LR

23/0245/10 Decision Date: 18/04/2023

Proposal: Single storey rear extension

Location: 8 HEOL GWRGAN, BEDDAU, PONTYPRIDD, CF38 2RN

23/0300/10 Decision Date: 11/05/2023

Proposal: Porch extension

Location: 22 HEOL DDEUSANT, BEDDAU, PONTYPRIDD, CF38 2LA

23/0352/10 Decision Date: 18/05/2023

Proposal: Single storey detached garage to the front

Location: 73 CLOS MYDDLIN, BEDDAU, PONTYPRIDD, CF38 2JT

Brynna and Llanharan

22/1469/10 Decision Date: 09/05/2023

Proposal: Swimming pool,pump house, covered canopy to patio.

Location: 2 FOREST VIEW, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JZ

23/0115/10 Decision Date: 11/04/2023

Proposal: Two storey rear and single storey side extensions. (resubmission)

Location: 6 CLOS ALUN, BRYNNA, PONTYCLUN, CF72 9SR

23/0209/23 Decision Date: 20/04/2023

Proposal: Prior Approval - Installation of foot bridge

Location: TRENOS LEVEL CROSSING, LLANHARAN

23/0240/10 Decision Date: 13/04/2023

Proposal: Detached garage

Location: 8 HEATHFIELD CRESCENT, LLANHARAN, PONTYCLUN, CF72 9RU

23/0260/09 Decision Date: 03/05/2023

Proposal: The installation of solar panels on the upper and lower roofs of the main building and also on the roofs of two ancillary buildings in close proximity.

Location: ORTHO CLINICAL DIAGNOSTICS, FELINDRE MEADOWS, LLANHARAN, PENCOED, BRIDGEND, CF35 5PZ

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Brynna and Llanharan

23/0277/10 Decision Date: 12/04/2023
Proposal: Double storey side and rear extension with part single rear extension
Location: 9 ST LUKE'S CLOSE, LLANHARAN, PONTYCLUN, CF72 9ST

23/0397/10 Decision Date: 10/05/2023
Proposal: Side extension
Location: 64 HEOL DEWI, BRYNNA, PONTYCLUN, CF72 9SQ

Church Village

23/0160/10 Decision Date: 17/04/2023
Proposal: First floor side extension and garage conversion
Location: 14 BRECON WAY, TONTEG, PONTYPRIDD, CF38 1HW

Cilfynydd

23/0249/10 Decision Date: 28/04/2023
Proposal: Single storey rear extension, exterior materials to be similar to existing dwelling.
Location: 23 HILLTOP AVENUE, CILFYNYDD, PONTYPRIDD, CF37 4HZ

23/0278/10 Decision Date: 17/05/2023
Proposal: Change of use to mixed use development consisting of a residential dwelling (Class C3) and child minding facility (Class D1)
Location: 8 FFORDD TRYWERYN, CILFYNYDD, PONTYPRIDD, CF37 4JE

Cwm Clydach

22/0526/10 Decision Date: 11/04/2023
Proposal: Proposed 3 Bed dwelling with associated works. (Coal Mining Risk Assessment received 14/11/22)(Amended Plan received 20/02/23)
Location: LAND AT SUNNY BANK, SUNNY BANK, CLYDACH, TONYPANDY

23/0200/10 Decision Date: 25/04/2023
Proposal: Lock-up garage (retrospective)
Location: LAND OPP. 24 - 25 PARK STREET, CLYDACH, TONYPANDY

Cwmbach

23/0058/10 Decision Date: 26/05/2023
Proposal: Proposed installation of an array of solar panels within the site curtilage and associated works.
Location: NEWLYN HOUSE, BLAENNANTYGROES ROAD, CWM-BACH, ABERDARE, CF44 0EA

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Cwmbach

23/0324/10 Decision Date: 25/05/2023
Proposal: Proposed single storey extension for a Dining Room and Lounge and a single domestic garage
Location: 40 YNYSCYNON STREET, CWM-BACH, ABERDARE, CF44 0PD

Ferndale and Maerdy

22/1248/13 Decision Date: 25/05/2023
Proposal: Outline permission for 3 detached dwellings
Location: LAND ON LONG ROW, BLAENLLECHAU, FERNDALE

23/0156/10 Decision Date: 17/04/2023
Proposal: Retrospective amendment to site boundary, garage / store
Location: 42 ALBANY STREET, FERNDALE, CF43 4SL

23/0181/10 Decision Date: 16/05/2023
Proposal: Single storey rear extension
Location: 5 PINE STREET, FERNDALE, CF43 4RB

23/0394/10 Decision Date: 19/05/2023
Proposal: Change of use to garden curtilage with construction of domestic shed and associated works (retrospective)
Location: 9 GEORGE STREET, BLAENLLECHAU, FERNDALE, CF43 4PN

Gilfach-goch

22/0996/10 Decision Date: 12/04/2023
Proposal: Construction of a two storey dwelling.
Location: LAND OFF HIGH STREET, GILFACH-GOCH

Graig and Pontypridd West

23/0190/15 Decision Date: 04/05/2023
Proposal: Variation of condition 2 (Approved Plans) to allow changes to approved fenestration.
Location: HILLSIDE, LLANDRAW WOODS, MAES-Y-COED, PONTYPRIDD, CF37 1EX

23/0295/10 Decision Date: 17/05/2023
Proposal: Single storey flat roof extension, convert garage to side elevation, construct first floor duo-pitch extension over
Location: 31 ST ANDREWS ROAD, PENYCOEDCAE, PONTYPRIDD, CF37 1XF

Hirwaun, Penderyn and Rhigos

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Hirwaun, Penderyn and Rhigos

22/0793/10 Decision Date: 26/04/2023
Proposal: 1 No. 5 bedroom dwelling, integral parking and associated landscaping (amended plans received 25/10/22 and 08/03/23) (Geoenvironmental and Geotechnical Report received 09/03/23).
Location: PLOT 2 DEVELOPMENT SITE, PENDERYN ROAD TO CHALLIS ROW, HIRWAUN, CF44 9SH

23/0315/10 Decision Date: 22/05/2023
Proposal: Conversion of disused first floor storage area to three self contained flats.
Location: 62A TRAMWAY, HIRWAUN, ABERDARE, CF44 9PA

Llanharry

23/0361/10 Decision Date: 04/05/2023
Proposal: Single storey side extension
Location: 8 ASH GROVE, LLANHARRY, PONTYCLUN, CF72 9HX

Llantrisant and Talbot Green

23/0257/10 Decision Date: 13/04/2023
Proposal: Two storey rear and side extension including a cantilever to allow for a walkway to the rear.
Location: SUMMERFIELD, 61 LANELAY ROAD, TALBOT GREEN, PONTYCLUN, CF72 8HY

23/0370/10 Decision Date: 04/05/2023
Proposal: Two storey extension to the rear & side of property with a front porch.
Location: 68 DAN CAERLAN, LLANTRISANT, PONTYCLUN, CF72 8HD

Llantwit Fardre

22/1031/10 Decision Date: 12/04/2023
Proposal: Retrospective application for retention and completion of rear decking.
Location: 15 LLYS LLEWELYN, LLANTWIT FARDRE, PONTYPRIDD, CF38 2HQ

22/1352/10 Decision Date: 15/05/2023
Proposal: Change of use of industrial land at Newtown Industrial Estate (former staff car park) for Edwards Coaches to self storage container area. 15 x 20ft sea containers only
Location: ELECTRICITY SUB STATION 44M FROM OLD POST OFFICE, STATION TERRACE ON UNNAMED ROAD, NEWTOWN INDUSTRIAL ESTATE, LLANTWIT FARDRE

23/0186/10 Decision Date: 12/05/2023
Proposal: Single storey extension to the side, part front, porch extension, alterations to roof dormers.
Location: 2 PENYWAUN, EFAILISAF, PONTYPRIDD, CF38 1AY

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Llantwit Fardre

- 23/0194/19** Decision Date: 17/04/2023
Proposal: Tree works to oak (TPO No.1 -1982) - Remove Ivy from crown to ground level, crown raise all round to 5m above ground level, remove any unstable deadwood over 25mm in diameter, reduce back by up to 2m growth
Location: GARTHLYN, HEOL FFRWD PHILIP, EFAILISAF, PONTYPRIDD, CF38 1AR

- 23/0358/10** Decision Date: 17/05/2023
Proposal: Single storey rear extension.
Location: HILLCREST, 32 HEOL DOWLAIS, EFAIL ISAF, PONTYPRIDD, CF38 1BB

Penrhiw-ceibr

- 23/0307/10** Decision Date: 09/05/2023
Proposal: Take down existing sub-standard lean-to at ground floor level and construct new 2 storey flat roof extension as storage to ground floor and living area to first floor flat above
Location: CLOCK FISHBAR AND CAFE, PENRHIWCEIBER ROAD, PENRHIWCEIBER, MOUNTAIN ASH, CF45 3SP

- 23/5023/41** Decision Date: 18/04/2023
Proposal: PRE APP
Location: LAND TO THE WEST OF HAWTHORN TERRACE, PERTHCELYN, MOUNTAIN ASH

Pentre

- 22/1361/10** Decision Date: 25/05/2023
Proposal: Change of use from lock up shop to domestic use
Location: BULLYS BREAKFAST BAR, 44 LLEWELLYN STREET, PENTRE, CF41 7BW

- 23/0409/10** Decision Date: 18/05/2023
Proposal: Rear extension
Location: 5 VICTORIA STREET, TONPENTRE, PENTRE, CF41 7AP

Pontyclun Central

- 23/0128/10** Decision Date: 17/04/2023
Proposal: Rear single storey extension
Location: 2 LEWIS STREET, PONT-Y-CLUN, PONTYCLUN, CF72 9AD

- 23/0211/10** Decision Date: 03/05/2023
Proposal: Construction of a steel framed canopy over part of rear yard, to include solar panels and removal/replacement of conifer hedge
Location: CONCRETE CANVAS LTD, COWBRIDGE ROAD, TALBOT GREEN, PONTYCLUN, CF72 8UU

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Pontyclun Central

23/0259/10 Decision Date: 12/04/2023
Proposal: First floor side extension over existing with associated alterations.
Location: 72 HEOL-Y-COED, PONT-Y-CLUN, PONTYCLUN, CF72 9AT

23/0343/10 Decision Date: 25/05/2023
Proposal: The addition of a flue to the side of the house to enable the fitting of a wood burning stove.
Location: SOLVA, SCHOOL ROAD, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8PG

Pontyclun East

23/0217/10 Decision Date: 26/04/2023
Proposal: Extension of existing garage, to include bedroom and garage
Location: 1 DOL Y LLAN, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8RY

23/0236/23 Decision Date: 05/05/2023
Proposal: Prior approval for the removal of topsoil and reinstatement of improved ground levels.
Location: LAND AT TYNEWYDD FARM, LLANTRISANT ROAD, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8NE

23/0237/23 Decision Date: 05/05/2023
Proposal: Prior approval for the removal of topsoil and reinstatement of improved ground levels.
Location: LAND AT TYNEWYDD FARM, LLANTRISANT ROAD, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8NE

23/0299/10 Decision Date: 11/05/2023
Proposal: Enclosed porch
Location: 1 PARK LANE, GROES-FAEN, PONTYCLUN, CF72 8PB

23/0465/09 Decision Date: 05/05/2023
Proposal: Replacement pitched roof on single storey side extension with flat roof, roof window, internal layout alterations rear patio doors.
Location: 27 PEN-Y-GROES, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8PA

Pontypridd Town

22/1495/12 Decision Date: 03/05/2023
Proposal: Proposed office intervention within a model mezzanine floor.
Location: EGLWYSBACH SURGERY, BERW ROAD, PONTYPRIDD, CF37 2AA

23/0029/12 Decision Date: 13/04/2023
Proposal: Replacement of lighting to energy efficient LED lighting
Location: LLOYDS TSB, 4A MARKET STREET, PONTYPRIDD, CF37 2TF

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Pontypridd Town

23/0334/10 Decision Date: 16/05/2023
Proposal: Loft conversion with dormer extensions.

Location: 18 NUNS CRESCENT, GRAIG-WEN, PONTYPRIDD, CF37 2EW

Rhydfelen Central

23/0376/10 Decision Date: 16/05/2023
Proposal: Erection of first floor rear extension and construction of a single storey garage link.

Location: 16 DYFFRYN AVENUE, RHYDYFELIN, PONTYPRIDD, CF37 5RY

Taff's Well

22/0572/10 Decision Date: 18/05/2023
Proposal: Demolition of existing Farmhouse and replacement with new dwelling

Location: GRAIG FACH FARM, LANE TO GRAIG FACH FARM, GWAELOD-Y-GARTH, TAFF'S WELL, CAERPHILLY, CF83 1NF

22/1468/10 Decision Date: 24/04/2023
Proposal: Retrospective planning permission for the siting of a demountable building and incorporation of timber decking (amended layout plan received 13/04/2023).

Location: TAFFS WELL FOOTBALL PITCH, PARISH ROAD, TAFF'S WELL, CF15 7HB

23/0075/10 Decision Date: 14/04/2023
Proposal: Rear two storey extension, addition of a rear dormer and internal re design.

Location: 16 MOY ROAD, TAFF'S WELL, CARDIFF, CF15 7QR

23/0106/01 Decision Date: 10/05/2023
Proposal: Removal of 96 sheet freestanding poster and replacement with 48 sheet freestanding digital advert.

Location: ADVERTISING RIGHTS, CAERPHILLY ROAD, NANTGARW, TAFF'S WELL

23/0203/10 Decision Date: 17/04/2023
Proposal: Dropped kerb/driveway/relocation of street sign

Location: 2 LEYSHON CLOSE, CARDIFF ROAD, TAFF'S WELL, CARDIFF, CF15 7QF

23/0310/18 Decision Date: 17/05/2023
Proposal: Fell and remove stumps of 2 trees.

Location: 40 CARDIFF ROAD, GLAN-Y-LLYN, TAFF'S WELL, CARDIFF, CF15 7QE

Ton-teg

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Ton-teg

23/0226/10 Decision Date: 04/05/2023

Proposal: Garden room

Location: WARREN FARM, MAESMAWR ROAD, TON-TEG, PONTYPRIDD, CF38 1SH

Tonyrefail East

22/1399/10 Decision Date: 28/04/2023

Proposal: Shed (retrospective)

Location: 128 HIGHFIELDS, TONYREFAIL, PORTH, CF39 8GA

23/0104/10 Decision Date: 17/05/2023

Proposal: Detached garage

Location: THE STABLES, COLLENNA ROAD, TONYREFAIL

23/0227/10 Decision Date: 11/04/2023

Proposal: Two storey front / side extension, rear retaining wall.

Location: 49 CELYN ISAF, TONYREFAIL, PORTH, CF39 8AN

23/0287/10 Decision Date: 14/04/2023

Proposal: Ground floor extension

Location: 28 HEOL ISLWYN, TONYREFAIL, PORTH, CF39 8NR

23/0292/10 Decision Date: 13/04/2023

Proposal: Two storey extension to the rear

Location: 10 HAZEL COURT, TONYREFAIL, PORTH, CF39 8NA

Tonyrefail West

23/0136/10 Decision Date: 28/04/2023

Proposal: Single storey rear extension, new railed platform to side and rear.

Location: 26 PARC DAN Y BRYN, TONYREFAIL, PORTH, CF39 8JS

23/0148/10 Decision Date: 11/04/2023

Proposal: Timber frame car shelter

Location: ROSE DENE, GILFACH ROAD, TONYREFAIL, PORTH, CF39 8HL

Trallwng

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Trallwng

23/0269/10 Decision Date: 28/04/2023

Proposal: Raised decking area at the rear.

Location: 13 THE AVENUE, PONTYPRIDD, CF37 4DF

23/0354/10 Decision Date: 22/05/2023

Proposal: Two storey rear extension

Location: 18 ALPHA PLACE, PONTYPRIDD, CF37 4RT

Trealaw

23/0103/10 Decision Date: 19/04/2023

Proposal: Two storey full width extension and detached garage

Location: 6 BRYNTEG TERRACE, TREALAW, TONYPANDY, CF40 2PD

23/0176/23 Decision Date: 12/05/2023

Proposal: Prior Approval - Proposed temporary access.

Location: LAND AT DINAS RHONDDA RAILWAY STATION, STATION ROAD, TREALAW, TONYPANDY, CF40 2PJ

23/0223/10 Decision Date: 12/05/2023

Proposal: Double garage with basement garden rooms

Location: 207 & 208 RHYS STREET, TREALAW, TONYPANDY, CF40 2QD

23/0306/10 Decision Date: 10/05/2023

Proposal: Granny annexe

Location: CON LAU HOUSE, LLYS ALAW, TREALAW, TONYPANDY, CF40 2US

23/0365/10 Decision Date: 05/05/2023

Proposal: Garage

Location: 12 WENGRAIG ROAD, TREALAW, TONYPANDY, CF40 2QG

Treforest

22/0955/13 Decision Date: 20/04/2023

Proposal: Outline Planning Application for one detached dwelling (Amended Plans received 17/01/2023)

Location: FOREST VIEW, BROOK STREET, TREFOREST, PONTYPRIDD, CF37 1TW

Treorchy

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

Report for Development Control Planning Committee

10/04/2023 and 26/05/2023

Treorchy

23/0169/10 Decision Date: 13/04/2023

Proposal: Two storey full with extension

Location: 6 WOODLAND TERRACE, CWMPARC, TREORCI, TREORCHY, CF42 6LS

23/0371/09 Decision Date: 03/05/2023

Proposal: Hardstand consisting of 4 m x 8.2 m in length concrete block construction of 8.2 x 2.5 m height to front elevation , 2.0m to back elevation with a pitched roof.

Location: 5 GREENFIELD TERRACE, CWM-PARC, TREORCHY, CF42 6LL

23/0467/10 Decision Date: 25/05/2023

Proposal: Rear extension & extension to front porch

Location: 2 WOODLAND VALE, TREORCHY, CF42 6TT

Tylorstown and Ynyshir

23/0273/10 Decision Date: 16/05/2023

Proposal: Proposed construction of a single domestic garage

Location: LAND OPPOSITE 28 STANDARD TERRACE, YNYS-HIR, PORTH, CF39 0HG

23/0274/10 Decision Date: 20/04/2023

Proposal: Proposed ground floor infill and first floor rear extensions.

Location: 45 WILLIAM STREET, YNYS-HIR, PORTH, CF39 0EY

23/0418/10 Decision Date: 25/05/2023

Proposal: Proposed conservatory to rear of property

Location: RIVERSIDE BUNGALOW, Y MAENDY, YNYS-HIR, PORTH, CF39 0AS

Ynysybwl

23/0311/10 Decision Date: 17/05/2023

Proposal: Remove flat roofs and dormer and construct first floor bedroom extension with new pitched roof.

Location: 3 GROVE TERRACE, YNYS-Y-BWL, PONTYPRIDD, CF37 3EH

23/0318/10 Decision Date: 17/05/2023

Proposal: Rear flat roof extension.

Location: 6 BRYN AUR, COED-Y-CWM, PONTYPRIDD, CF37 3JE

Ystrad

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

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10/04/2023 and 26/05/2023

Ystrad

23/0212/10 Decision Date: 25/05/2023

Proposal: Detached garage

Location: ISCOED HOUSE, VICTORIA STREET, YSTRAD, PENTRE

23/0266/09 Decision Date: 20/04/2023

Proposal: Construct rear single storey extension

Location: 6 WILLIAM STREET, YSTRAD, PENTRE, CF41 7QR

23/0285/10 Decision Date: 15/05/2023

Proposal: Change of use from a dwelling (C3 use) to a 5 bedroom 5 person house in multiple occupation (C4 use)

Location: 40 GELLI ROAD, GELLI, PENTRE, CF41 7LY

23/0348/10 Decision Date: 16/05/2023

Proposal: Domestic garage

Location: 5 HILLSIDE TERRACE, GELLI, PENTRE, CF41 7UJ

Total Number of Delegated decisions is 103

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
Development Control : Delegated Decisions - Refusals between: 10/04/2023 and 26/05/2023
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Tonypandy

23/0155/10 Decision Date: 24/04/2023

Proposal: Conversion of annex (facing Eleanor Street) to create a six bedroom HMO, including alterations to the roof form, refurbishment and alterations, removal of the rear flat roof element and associated external works.
(Revised floor plans received 11/4/23)

Location: 13 ELEANOR STREET (TO THE REAR OF 113 DUNRAVEN STREET), TONYPANDY, CF40 1AS

Reason: 1 The proposed conversion and change of use to a House in Multiple Occupation would constitute an overdevelopment of the site and due to the combination of an unsatisfactory layout, lack of outlook, natural light and ventilation to some habitable rooms, plus the absence of any external amenity space, would result in substandard accommodation.

Therefore, the development would not be acceptable in terms of the amenity of future residents and would not comply with the Council's Supplementary Planning Guidance for Houses In Multiple Occupation or the Development of Flats.

23/0193/10 Decision Date: 19/05/2023

Proposal: Conversion first floor office space to 1 flat and 1 studio flat

Location: CAFE, 121 DUNRAVEN STREET, TONYPANDY, CF40 1AS

Reason: 1 The proposed change of use to a flat and studio flat would constitute as overdevelopment of the site due to the combination of, lack of outlook, natural light and ventilation to some habitable rooms, plus the absence of any external amenity space. The development would therefore lead to poor and cramped living conditions for future residents to the detriment of their amenities, contrary the Council's adopted Supplementary Planning Guidance for the Development of Flats.

23/0247/10 Decision Date: 04/05/2023

Proposal: Change of use from office to dwelling.

Location: 2 POST OFFICE ROW, TONYPANDY, CF40 2QY

Reason: 1 By virtue of its location within a designated C2 Flood Zone, the proposed development is at risk of flooding and is considered to be contrary to Policies AW2 and AW10 of the Local Development Plan as well as Planning Policy Wales Technical Advice Note (TAN) 15: Development and Flood Risk and is therefore unacceptable in principle.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
Development Control : Delegated Decisions - Refusals between: 10/04/2023 and 26/05/2023
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Aberaman

23/0264/10 Decision Date: 11/05/2023

Proposal: Steel pillar balcony with surrounding glass ballustrade

Location: CWM Y GLO, GERDDI'R MAES BACH, ABERAMAN, ABERDARE, CF44 6DQ

Reason: 1 REASON: The proposed balcony, by virtue of its elevated height, prominent location and relationship with the properties under construction to the east, would result in direct overlooking of these properties, adversely affecting the privacy and amenity standards currently enjoyed by future 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.

Aberdare West and Llwydcoed

23/0182/13 Decision Date: 12/04/2023

Proposal: Proposed construction of one bedroom eco-cabin dwelling.

Location: LAND ADJ. TO 11 ST JOHN STREET, TRECYNON, ABERDARE

Reason: 1 The proposed development would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales for the following reasons:

The access leading to the proposed development site and St Johns Street is sub-standard to cater for the increase in vehicular movement generated by the proposed residential use, leading to increased hazards to the detriment of safety of all highway users.

The red line boundary submitted, which identifies the extent of the application site, does not connect to a public highway and requires the use of third party land (off no. 11 St John Street) in order to access / egress the plot.

Reason: 2 As a result of its design and appearance, it is considered that the proposed development would appear out of keeping with the character and appearance of existing development in the vicinity of the site. As such the proposal is considered to be contrary to policy NSA12, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

Reason: 3 Insufficient information has been provided to enable an accurate assessment of the impacts of the proposed development upon ecology at the site. As such, the scheme is contrary to the requirements of policy AW8 the Rhondda Cynon Taf Local Development Plan.

Hawthorn and Lower Rhydfelen

23/0133/10 Decision Date: 26/04/2023

Proposal: Loft conversion with front facing dormer (retrospective).

Location: 15 TUDOR STREET, RHYDYFELIN, PONTYPRIDD, CF37 5LB

Reason: 1 The dormer extension represents a visually incongruous form of development which has a detrimental impact on the character of the host dwelling and appearance of the surrounding area. This is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the Council's adopted Supplementary Planning Guidance (SPG): A Design Guide for Householder Development.

Mountain Ash

22/0903/10 Decision Date: 22/05/2023

Proposal: Raised decking

Location: 38 STRAND STREET, MOUNTAIN ASH, CF45 4HG

Reason: 1 The development, by virtue of its elevated setting, scale and design constitutes an unsympathetic development which is poorly related to and has an unacceptable effect on the character and appearance of the site and surrounding area. As such the development conflicts with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

Reason: 2 The development due to its design, siting and elevated setting has increased levels of overlooking and significantly impacts upon the privacy and amenities of neighbouring occupiers. As such, the development conflicts with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Report for Development Control Planning Committee

Pen-y-waun

23/0233/10

Decision Date: 23/05/2023

Proposal: Change of use of land to Class B8 storage including siting of 114 no. storage containers.

Location: WHAT WAREHOUSE, HIRWAUN ROAD, PEN-Y-WAUN, ABERDARE

Reason: 1 The proposed development is considered to be contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan as it would result in an adverse impact upon highway safety in the vicinity of the application site for the following reason:

In the absence of adequate off-street car parking facilities, the proposed development will result in overspill on-street car parking in the vicinity of the site increasing hazards to the detriment of safety of all highway users.

Ton-teg

23/0282/10

Decision Date: 19/05/2023

Proposal: Loft conversion

Location: 11 MAESTEG GARDENS, TON-TEG, PONTYPRIDD, CF38 1NE

Reason: 1 The development, by virtue of its scale, massing, design and elevated height, represents an incongruous proposal that would be out-of-keeping with the character of the local area and detrimental to the visual amenity of both the host dwelling and the wider street scene. The proposal is therefore contrary to Policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance 'Design Guide for Householder Development (2011)'.

Reason: 2 The development, as a result of its overall design, would result in an unacceptable overlooking impact upon the neighbouring properties. As such, the proposal would have an unacceptable impact upon the amenity of the neighbouring property and would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Report for Development Control Planning Committee

Tonyrefail East

23/0091/10 Decision Date: 11/04/2023

Proposal: First floor extension with attic conversion

Location: 15 SCHOOL STREET, TONYREFAIL, PORTH, CF39 8LE

Reason: 1 The proposed extension as a result of its siting, scale, design and overall visual appearance would result in an unsympathetic and incongruous addition that would have a significant detrimental impact on the character and appearance of the existing semi-detached property and surrounding street scene. As such, the proposal is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Tonyrefail West

22/1487/10 Decision Date: 10/05/2023

Proposal: Detached dwelling with off road parking

Location: THE BLACK DIAMOND HOUSE, EDMONDSTOWN ROAD, EDMONDSTOWN, TONYPANDY, CF40 1NR

Reason: 1 The proposed development removes the current off-street car parking provision for the Black Diamond leading to additional on-street car parking in an area where there is already considerable demand leading to indiscriminate on-street car parking narrowing the available width of carriageway, blocking vision splays impacting on junction radii and parking on footways to the detriment of safety of all highway users and free flow of traffic. As such, the application is considered contrary to Policy AW5 of the Rhondda Cynon Taf local Development Plan.

Treforest

23/0082/09 Decision Date: 28/04/2023

Proposal: Certificate of Lawful Development for HMO

Location: 47 QUEEN STREET, TREFOREST, PONTYPRIDD, CF37 1RN

Reason: 1 Insufficient evidence has been submitted by the applicant to support their view that the property was last lawfully used as a small 3 bed HMO. Insufficient evidence has been submitted to support, on the balance of probability, that the property was last lawfully used as a small 3 bed HMO and that no intervening uses have occurred at the property.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
Development Control : Delegated Decisions - Refusals between: 10/04/2023 and 26/05/2023
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Treorchy

23/0043/13 Decision Date: 22/05/2023

Proposal: 3 No. pairs of semi detached dwellings

Location: RHONDDA TYRE SERVICE, CRICHTON STREET, TREORCHY, CF42 6DF

Reason: 1 By virtue of its location within a designated C2 Flood Zone, the proposed development is at risk of flooding and is therefore contrary to Policies AW2 and AW10 of the Rhondda Cynon Taf Local Development Plan as well as Planning Policy Wales Technical Advice Note (TAN) 15: Development and Flood Risk. The development is therefore unacceptable in principle.

Reason: 2 In the absence of a Bat Survey, insufficient information has been submitted to demonstrate that the impact upon bats, which are a European Protected Species, can be adequately managed. As such, the development is contrary to Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

Reason: 3 There is a lack of information with regards safe pedestrian connectivity and potential off-street car parking provision for a highway safety assessment to be undertaken. In addition, it appears that the site is overdeveloped with limited space to provide off-street car parking leading to on-street car parking to the detriment of safety of all highway users. As such, the development is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Reason: 4 The proposed development would represent an un-neighbourly form of development which would have a detrimental impact on the residential amenity and privacy of surrounding properties, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

23/0214/10 Decision Date: 05/05/2023

Proposal: Two storey rear extension and change of use of first floor redundant offices into 1 bedroom flat.

Location: TUDBALL AND EDWARDS ESTATE AGENTS, 92 BUTE STREET, TREORCHY, CF42 6AH

Reason: 1 As a result of the rear access the proposed residential use, in the form of the self-contained first floor flat, is considered to represent an inappropriate conversion that would result in the creation of poor-quality living accommodation. As such the proposal is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the Council's adopted Development of Flats Supplementary Planning Guidance.

Reason: 2 The narrow lane leading to the site is not suitable to serve as the principal means of vehicular and pedestrian access for the proposed first floor flat leading to increased hazards to the detriment of safety of all highway users, contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Ynysybwl

23/0195/10

Decision Date: 24/04/2023

Proposal: Retention of raised terrace to rear elevation

Location: 96 CRAWSHAY STREET, YNYS-Y-BWL, PONTYPRIDD, CF37 3EG

Reason: 1 The development, by virtue of its elevated setting, scale and design constitutes an unsympathetic development which is poorly related to and has an unacceptable effect on the character and appearance of the site and surrounding area. As such the development conflicts with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

Reason: 2 The development due to its design, siting and elevated setting has increased levels of overlooking and significantly impacts upon the privacy and amenities of neighbouring occupiers. As such, the development conflicts with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Total Number of Delegated decisions is 15

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