



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

COMMITTEE SUMMONS

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

Meeting Contact: Jess Daniel - Democratic Services (07385401877)

A hybrid meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** will be held on **THURSDAY, 7TH SEPTEMBER, 2023** at **3.00 PM**.

It is the intention to live stream this meeting, details of which can be accessed [here](#).

NON-COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC MAY [REQUEST THE FACILITY TO ADDRESS THE COMMITTEE](#) AT THEIR MEETING ON THE BUSINESS LISTED. IT IS KINDLY ASKED THAT SUCH NOTIFICATION IS MADE TO PLANNINGSERVICES@RCTCBC.GOV.UK BY 5PM ON TUESDAY, 5 SEPTEMBER 2023, INCLUDING STIPULATING WHETHER THE ADDRESS WILL BE IN WELSH OR ENGLISH.

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

AGENDA

1. DECLARATION OF INTEREST

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

Note:

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

2. HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

To note, that when Committee Members determine the development

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

3. WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

4. MINUTES 03.08.23

To approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on 3rd August 2023.

5 - 8

APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

5. APPLICATION NO: 23/0165

Retention of detached garage / workshop.

87 COED ISAF ROAD, MAESYCOED, PONTYPRIDD, CF37 1EN

9 - 18

6. APPLICATION NO: 23/0294

Sub-division, extension, external alterations to retail unit to enable it to trade as part foodstore/part non-food retail unit with ancillary cafe, modifications to garden centre, delivery access arrangements, car parking layout, landscaping, and other associated site works.

WHAT STORES, ABERAMAN PARK INDUSTRIAL ESTATE, ABERAMAN, ABERDARE, CF44 6DA

19 - 42

7. APPLICATION NO: 23/0368

Change of use from function room to 4no bed & breakfast rooms.

PLOUGH INN PUBLIC HOUSE, LEWIS STREET, ABERAMAN, ABERDARE, CF44 6PY

43 - 54

8. APPLICATION NO: 23/0576

Resubmission of proposed partial Change of Use at 22-22A Cardiff Street to create 7 new flats and retain the residential unit on the 2nd floor along with improvement works to the commercial areas at the basement and ground floor levels.

22-22A CARDIFF STREET, ABERDARE, CF44 7DP

55 - 68

9. APPLICATION NO: 23/0910

Wooden sign installed on grass area near main entrance of the Park.
**YNYSANGHARAD WAR MEMORIAL PARK, BRIDGE STREET,
PONTYPRIDD**

69 - 74

DEFERRED APPLICATIONS

10. APPLICATION NO: 22/1321

Change of use from residential to care home for children (C2).
41 Wood Road, Treforest, Pontypridd, CF37 1RH

75 - 88

11. APPLICATION NO: 23/0398

Change of use from a HMO (C4 use) to a Children's Home and associated works. (Amended Site Location Plan received 08/06/2023).
37 Elizabeth Street, Aberdare, CF44 7LN

89 - 102

INFORMATION REPORT

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

To inform Members of the following, for the period 07/08/2023 – 25/08/2023.

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

103 - 116

13. URGENT BUSINESS

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

Service Director of Democratic Services & Communication

Circulation: -

Members of the Planning & Development Committee

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

County Borough Councillors: Councillor J Bonetto, Councillor A Dennis,
Councillor S Emanuel, Councillor D Grehan, Councillor G Hughes, Councillor M Powell,
Councillor J Smith, Councillor L A Tomkinson and Councillor R Williams

Head of Planning

Head of Legal Services

Head of Major Development and Investment

Senior Engineer



RHONDDA CYNON TAF COUNCIL Planning and Development Committee

Minutes of the meeting of the Planning and Development Committee held on Thursday, 3 August 2023 at 3.00 pm at Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

This meeting was live streamed, details of which can be accessed [here](#).

County Borough Councillors – The following Planning and Development Committee Members were present in the Council Chamber: -

Councillor S Rees (Chair)

Councillor W Lewis Councillor L A Tomkinson
Councillor G Hughes

The following Planning and Development Committee Members were present online: -

Councillor J Bonetto Councillor J Smith
Councillor D Grehan Councillor R Williams
Councillor M Powell Councillor A Dennis

County Borough Councillors in attendance: -

Councillor M Norris

Officers in attendance: -

Mr J Bailey, Head of Planning
Mr C Hanagan, Service Director of Democratic Services & Communication
Mr S Humphreys, Head of Legal Services
Mr C Jones, Head of Major Development and Investment

57 WELCOME AND APOLOGIES

Apologies for absence were received from County Borough Councillor S Emanuel.

58 DECLARATION OF INTEREST

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

59 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

It was **RESOLVED** to note that when Committee Members determine the development control matters before them, they should have regard to the

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

60 WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

61 APPLICATION NO: 23/0498

Attic extension and two storey extension to rear. ST LUCIA, GELLIFEDI ROAD, BRYNNA, PONTYCLUN, CF72 9QG

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

62 APPLICATION NO: 23/0568

Change of use from residential dwelling to Children's home. CARTREF MELYS, HEOL LLECHAU, WATTSTOWN, PORTH, CF39 0PP

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

63 APPLICATION NO: 23/0644

Proposed installation of a new single storey modular constructed classroom unit (Amended site location plan received 06/07/2023). PARK LANE SCHOOL, PARK LANE, TRECYNON, ABERDARE, CF44 8HN

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

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

Members **RESOLVED** to receive the report of the Service Director, Planning in relation to Planning and Enforcement Appeal Decisions received, Delegated Decisions Approvals and Refusals with reasons, Overview of Enforcement Cases and Enforcement Delegated Decisions received for the period 10/07/2023 – 21/07/2023.

This meeting closed at 3.25 pm

**Councillor S Rees
Chair.**

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PLANNING & DEVELOPMENT COMMITTEE

07 September 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0165/10 (RP)
APPLICANT: Mr M Welsh
DEVELOPMENT: Retention of detached garage / workshop.
LOCATION: 87 COED ISAF ROAD, MAESYCOED, PONTYPRIDD,
CF37 1EN
DATE REGISTERED: 08/03/2023
ELECTORAL DIVISION: Graig and Pontypridd West

RECOMMENDATION: Approve

REASONS:

The principle of development at the site is considered acceptable and has already been established. In addition, it not considered the proposal would have a significant impact upon the character and appearance of the area, the residential amenity of the surrounding neighbouring properties, or highway safety within the vicinity of the site.

The application is therefore considered to comply with policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

Three letters of objection have been received from occupiers of adjacent neighbouring properties.

APPLICATION DETAILS

Full planning consent is sought for the retention of a garage/workshop that has been constructed to the rear of 87 Coed Isaf Road, a semi-detached dormer bungalow located within the residential area of Maesycloed, Pontypridd.

The structure, which is accessed via a service lane off the highway of Llandraw Woods, to the south-west, in addition to ancillary land within the applicant's ownership, has replaced 2no. former garage structures at the site, although Members will note from the plans that accompany the application that one of the garages has been

partially demolished and incorporated into the structure of the new building, and that the second garage is actually still currently standing within the new structure.

Of concrete block construction and sitting under a profile sheet clad roof covering, the garage/workshop has a floor area measuring 11.780m in length by 10.400m in width and extends to a maximum height of 4.6m, as viewed from the rear garden of the application site owing to the prevailing topography.

A set of roller shutter doors have been installed within the south-west facing front elevation of the structure and address the access lane, whilst an access door has been positioned within the south-east facing side elevation and a short set of steps developed which allow access/egress to/from the rear garden of the plot.

SITE APPRAISAL

The application site is located within a residential area of Maesycoed, Pontypridd, and consists of a semi-detached bungalow which is set within a rectangular shaped plot.

The property faces a south-easterly direction with the principal elevation occupying an elevated position above the footway of Coed Isaf Road, set back by an enclosed front garden, driveway and set of access steps. The external finish of the house is mainly of painted render and has been modernised by the addition of a front facing dormer.

To the north-eastern elevation is a single storey pitched roof garage, whilst a further enclosed garden is positioned to the north-west facing rear elevation and is bound by those of neighbouring plots on both sides. Beyond the property's garden curtilage is amenity land within the applicant's ownership, with this being outlined in blue on the site location plan that accompanies the proposal and benefits from vehicular access off the aforementioned tarmac lane from which it is enclosed by a set of metal gates.

Neighbouring properties in the immediate street scene are predominantly semi-detached bungalows, however, the wider area displays a variety of different house types. Many of the neighbouring bungalows on this part of Coed Isaf Road benefit from the use of detached garages with several of these being located off the rear access lane.

PLANNING HISTORY

94/0772/09	Application for a Certificate of Lawfulness for Existing Use as a Building Business	Approved	29/11/94
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PUBLICITY

The application has been advertised by direct notification to neighbouring properties. Three letters of objection have been received and raise the following points.

- The scale of the building is not in proportion with the surrounding buildings and area;
- The building is in a raised position, industrial looking, unsightly and out of character with the residential area;
- The building is imposing on the privacy of the immediate neighbouring houses and gardens;
- Although not shown on the submitted plans, the existing building has provision for window openings on several elevations. These windows would be capable of overlooking neighbouring gardens and properties;
- The sheer size of the building as a replacement to the previous two garages suggests that the unit may be used for purposes other than garaging and storage, especially given its proximity to the rear yard;
- The structure has been built right up to the boundary, such that no room for maintenance is provided. Guttering on the side of the building, when secured, would potentially hang over the garden of a neighbouring property;
- The development is overbearing and overshadows my garden.

CONSULTATION

- Highways and Transportation – No objection subject to conditions.
- Flood Risk Management – No objection, subject to condition.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

The application site lies both within and outside of the settlement boundary for Graig and Pontypridd West 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 place making, including landscaping.

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

Supplementary Planning Guidance

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

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

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application seeks full planning consent for the retention of a garage/workshop that has been constructed within the extended curtilage of an existing residential dwelling. The principle of development is therefore acceptable; however, this would be subject to an assessment of the site-specific criteria set out below.

Impact on the character and appearance of the area

The structure has been constructed at the uppermost part of the property's garden and has replaced, in part, 2no. garages that once occupied this part of the site. Whilst the cumulative footprint of the former garages was fairly substantial, it is acknowledged that the newly built structure is a far bulkier addition to the site on account of its height, design and scale and appears more akin to an industrial unit rather than a domestic garage.

Notwithstanding this, the building, by being located to the rear of the site, has very little distinguishable impact upon the public realm, being largely screened by the multiple other garage structures that address the highways of Coed Isaf Road/ Llandraw Woods along with the gated, tarmacked access lane and is only visible in glimpses from the front of the site.

Consequently, although the neighbouring objectors deem the structure to be a visually incongruous form of development, and whilst it is acknowledged that the building is larger than a typical residential garage, given the size of the curtilage and other land within the applicant's ownership it is not considered that the structure is disproportionate to its surroundings. However, it is recommended to Members that a condition is applied so that the structure is finished in an appropriate material to help soften its appearance, at least towards the closest residents, and would limit the visual impact of the development and assist in its integration with the immediate vicinity.

Therefore, based on the above, it is not considered that the structure would detract from the visual qualities of the area to a point which warrants refusal of the application.

Impact on residential amenity and privacy

The structure would not be occupied as a habitable space and, with the absence of any window openings, its use would not likely cause any significant privacy or amenity issues to other residents.

In addition, the elevations of the structure are set well away from the adjoining and adjacent properties themselves, such that the outlook of neighbouring occupiers would not be unacceptably altered.

Furthermore, sited to the north of the row of dwellings, the structure would not create significant shading of neighbouring gardens, with any limited impact being contained to the uppermost parts of 85 and 89 Coed Isaf Road during the early and latter parts of the day respectively.

In this context the degree of detriment to neighbouring residents is not considered to be unacceptable or be to such a degree that would justify refusal of the application. Therefore, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Highways and Accessibility

The Council's Transportation Section have been notified of the proposals in order to provide comments on the suitability of the scheme with regard to highway safety and have made the following comments in relation to access and parking.

Access

The proposal is accessed via a single width rear lane that is lacking in vision splays at the junction and is acceptable as a secondary access for domestic use only. The rear lane is served off Landraw Woods. There is space to the rear of the property for vehicles to turn, allowing access and egress to and from the lane in a forward gear which is considered acceptable.

Taking into account the sub-standard nature of the lane leading to the proposal a condition restricting the use of the structure for domestic use only, with no trade or business therein has been suggested.

Parking

The garage provides for a minimum of 3 parking spaces which is in accordance with SPG: Access, Circulation & Parking Requirements (2011) maximum standards for a residential unit which is considered acceptable.

Highways Conclusion

There is slight concern that the structure may be used for purposes not associated with 87 Coed Isaf Road. However, taking into consideration that a condition has been suggested to overcome this concern and that the development would provide off-street parking facilities, thereby reducing on-street parking demand on Coed Isaf Road, the proposal is considered to have an acceptable impact upon highway safety in the vicinity of the site.

Drainage

The proposed development would result in a total construction area of over 100 square metres and the applicant would therefore be required to submit an application to the Sustainable Drainage Systems (SuDs) Approval Body (SAB), under Schedule 3 of the Flood and Water Management Act 2010. However, members will be aware that SuDs is not available retrospectively.

Consequently, as the applicant has failed to outline how surface water will be disposed of on the application form and has not provided any relevant surface water details for review the Lead Local Flood Authority have requested further information, via condition, as to how surface water will be managed and disposed of at the site.

Neighbouring Consultation Responses

Where the issues raised by the objectors are not addressed above, the following additional comments are offered:

The objectors have tendered objections regarding the potential loss of privacy to their rear amenity areas and rear facing habitable room windows. Having viewed the current situation on site, provision has been left within the elevations of the structure for windows to be installed which is not reflected on the submitted plans. Therefore, for the sake of certainty, an approved plans condition is recommended so that no material erosion of the neighbouring occupants existing levels of privacy occurs. Members should note, however, that a neighbouring resident's garage does have one window opening within its rear elevation, albeit it is obscure, and that overlooking does appear prevalent in the immediate area owing to the tiered nature of neighbouring garden levels and the number of dormer extensions that have been developed.

The objectors point as to the intended use of the garage is acknowledged and a condition is suggested so that the use of the garage is of a domestic scale only. To this end, Members are advised that the applicant does own a sizable portion of land to the rear of the application site, with this being outlined in blue on the site location plan that accompanies the proposal.

Members should be made aware that the Council sold this area of land to the proprietor of 87 Coed Isaf Road on the 27th March 1997 and as part of that disposal, it was covenanted to the Purchaser within the Transfer not to erect any building or structures on the land without the prior written consent of the Council. Further, the covenant does not allow for any development here that may cause a nuisance or annoyance to

adjoining land owners or users of land. Consequently, if Members are minded to approve the application and should the applicant subsequently conduct any commercial operation from the garage and/or the other land in his ownership, then in addition to enforcing the suggested condition other provisions outside of the planning process would be available to the Council to protect the amenities of neighbouring residents.

Lastly, the issues raised in respect of maintenance and any possible encroachment via overhang of guttering are civil matters for the applicant and neighbouring parties to resolve. However, members are advised that, for the purposes of this application, the applicant has completed Ownership Certificate B of the application form and has served notice on each property that has an access off the lane and which includes both of the immediate neighbouring properties that bound the site.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is 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, the residential amenity of the surrounding neighbouring properties or highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 AW6 and AW10).

RECOMMENDATION: Grant

1. Notwithstanding the submitted plans, within 6 months of the date of this consent the garage/workshop hereby approved shall be finished in external materials matching those found at the existing dwelling of 87 Coed Isaf Road.

Reason: In order to safeguard levels of visual amenity, in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

2. The development hereby approved shall be carried out in accordance with the approved drawing numbers and documents received by the Local Planning Authority on 16/06/2023 and 06/07/2023, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing no. PLA01 (Block Plan)
- Drawing no. PLA02 (Current Plans)

- Drawing no. PLA03 (Current Elevations)
- Site Location Plan

Reason: For the sake of certainty, to ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. The use of the garage/workshop hereby approved, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein and at no time shall the garage/workshop be converted to a room or living accommodation to be enjoyed as part of the dwelling.

Reason: For the avoidance of doubt as to the extent of this consent, in the interests of the amenity of neighbouring residents and safety of all highway users, in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. Within 3 months of the date of this consent the applicant shall evidence how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

Reason: To ensure that surface water runoff from the development does not cause or exacerbate the flood risk on the development site or elsewhere, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

07 September 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0294/10 (GD)
APPLICANT: Aldi Stores Ltd
DEVELOPMENT: Sub-division, extension, external alterations to retail unit to enable it to trade as part foodstore/part non-food retail unit with ancillary cafe, modifications to garden centre, delivery access arrangements, car parking layout, landscaping, and other associated site works.
LOCATION: WHAT STORES, ABERAMAN PARK INDUSTRIAL ESTATE, ABERAMAN, ABERDARE, CF44 6DA
DATE REGISTERED: 16/03/2023
ELECTORAL DIVISION: Aberaman

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development is deemed acceptable in terms of planning policy and all other material planning considerations, and the proposals present the opportunity to make better use of an underused retail outlet.

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 permission for the refurbishment, sub-division to the existing non-food retail unit, currently operating as What! Shop and previously Focus DIY to enable it to trade as part food store and part non-food retail unit with ancillary café, alongside modifications to existing garden centre, delivery and access arrangements, car parking layout landscaping and other associated site works. In summary, the changes are as follows.

- A food store with a net retail floor space of 1380 sq m (1867 sq m gross) within the sub divided eastern part of the existing retail unit. The remaining 2565 sq m remaining non-food retail
- Reconfiguration and extension of the existing car parking area to provide an additional 23no. car parking spaces, resulting in the overall provision of 153no. car parking spaces to serve the whole site, including 7no. disabled bays, 9no. parent and child bays, 4no. electric vehicle charging parking (EVCP) spaces and 20 no. further active EVCP spaces to be designated as demand rises. Of the 153 spaces some 15no. spaces for Aldi staff only are located in the southern half of the proposed Aldi service yard.
- 10 no. Motorcycle parking spaces
- 12no. customer cycle parking spaces, with staff cycle parking proposed within the warehouse
- Direct pedestrian route across the car park
- Potential to introduce a new pelican crossing across the B4275 north of the industrial estate access along with any necessary extension to the existing footways.
- Proposed external refrigeration plant to the north facing elevation
- Proposed 12 pallet scissor lift and lorry deck to eastern facing elevation
- A scheme of soft landscaping predominantly around the site boundaries and car park.
- New lighting columns in all car park areas.
- New stainless steel bollards to be installed around the trolley bay and lobby area
- Existing low-level paladin fencing to be removed and replaced with a timber knee rail fence.
- Replacement signage will be subject of a separate application under the advertisement regulations.

The application is accompanied by the following:

- Pre Application Consultation Report
- Design and Access Statement:
- Transport Assessment and Addendum
- Ecological Impact Assessment
- Arboricultural Impact Assessment
- Planning & Retail Statement
- Flood Consequences Assessment

SITE APPRAISAL

The application site extends to an area measuring approximately 1.2 hectares and includes Unit 1A Aberaman Park Industrial Estate, along with an outdoor retailing area and large surface car park. The site is currently occupied and trades as 'What!' Stores, a discount retailer, selling products including furniture, DIY products and garden wares. The site lies within the wider Aberaman Park Industrial Estate from which a range of industrial/ commercial

uses at varying scales operate. It is clear that the building was originally constructed and operated as a DIY outlet (Do It All) with an associated garden centre being constructed later.

The site is unaffected by Public Rights of Way and the access roads are adopted by the Council as Highway Authority, including the highway verge north of the building subject of this submission. The site is not subject to any Tree Preservation Orders and the adjacent river corridor is designated Cynon River Park. The site sits on potentially contaminated land and it lying within 250m of a former landfill site. The site lies within a low risk development area in respect of past mining activity. The site lies within C2 flood plain.

PLANNING HISTORY

22/5105	Pre Application Inquiry – variation of conditions to enable food sales	Constitutes development	21/10/2022
21/1666	CLOPUD use of the site for unrestricted Class A1 retail use	Refused	15/03/2022
15/0401/10	Garden centre extension to the side of the store with associated works including new door canopy and boundary fencing.	Granted	03/06/2015
15/1276/10	New Garden Centre Cafe.	Granted	25/05/2016
14/0522/10	Construction of new entrance lobby and remodelling of canopy, associated works to car park, delivery yard enclosure and boundary fence.	Granted	24/06/2014
03/1731/10	Extension to external garden centre	Granted	06/02/2004
99/4075/15	Variation of condition of consent 51/88/0062 to allow the sale of pets, pet food and pet products.	Granted	25/06/99
98/4352	Construction of new garden centre	Granted	28/08/1998
94/0120	Refurbishment including re-roofing of existing offices	Granted	16/05/1994
51/90/0451	Change of use of part of premises to retailing of "white goods" and household furniture.	Granted	05/09/1990
51/88/0062	D.I.Y retail warehouse	Granted	27/04/1988

51/87/0584	Erection of building for retail & D.I.Y. goods together with garden centre (Detail).	Granted	13/12/1987
51/87/0324	Erection of building for retail & D.I.Y. goods together with garden centre (Outline).	Granted	08/09/1987

PUBLICITY

The proposals have been advertised by Press Notice, Site Notices and Neighbour Notification Letters, 153 letters of support for the proposal have been submitted making the following points: -

- A new food store would regenerate a brownfield site, provide new jobs in Aberaman and provide an accessible store for local people.
- The new store would offer locals greater shopping choice
- Good quality and value for money supermarkets are few and far between, the cost of living crisis makes a new store very much needed
- The new store design will blend well with the existing character of the area and provide a much needed new facility for the town
- The development would be good for Aberaman and the local community.
- The new store would create jobs for local people in its construction and operation.

In addition to the above four letters have been received expressing concern or objection to the development, including one submitted on behalf of Asda and one on behalf of Lidl, in the following terms: -

- The cross-valley link has a 30mph speed limit that is regularly exceeded by motorists by up to 20mph.
- The access from the estate on to the B4275 has limited visibility particularly to the right when exiting this presents a danger, particularly to slower moving and heavier vehicles. Additionally, the weight of traffic on the road makes pulling out of the estate difficult and time consuming.
- The proposed pelican crossing will ease access to the site for pedestrians though the excess speed of vehicles on the road will make it a dangerous crossing.
- Vehicles waiting to turn on to the estate would be at risk of being rear ended by speeding traffic on the link road.
- It is suggested that the problems with the existing junction might be resolved if it is replaced with a roundabout or traffic lights and that the proposed pelican crossing be combined with it to enhance pedestrian safety. Otherwise an alternative access should be provided

- Additional signage should be provided along the link road giving a clear indication of the speed limit.
- The 90-minute parking restriction should not be imposed as it does not allow sufficient time to shop at the site particularly for those with disabilities or young families – it would be good to have no time restrictions particularly if parking is to be outsourced to a parking company who are described as “money grabbing scam artists”.
- The area is an industrial area for independent traders /businesses rather than a retail/supermarket outlet.
- The area is already congested with traffic and compared to other Aldi location, which have excellent highway links this one does not.
- The Aberaman area already has Asda and Lidl to add to Aldi is not fair competition. Tesco is less than 5 miles away from the proposed site and that has already had a huge impact on Aberdare town centre.
- There is also an issue of fairness for the community and residents of Aberdare as supermarkets are all located south of the town with nothing to the north servicing Trecynon, Llwydcoed, Penywaun, Hirwaun, and Rhigos. Residents will need to travel to these supermarkets creating even greater congestion on the A4059 and B4275.
- Aldi have already tried operating in the area to no avail.
- Would it be of greater benefit to Rhondda Cynon Taf if Aldi were to locate around the Hirwaun Rhigos area that would also attract residents from the Rhondda and Penderyn Glynneath or Merthyr Tydfil.
- The pedestrian connectivity of the site is poor, particularly for those accessing the site from the east. Consideration should be given to how this can be improved. In addition, it is proposed for a pedestrian crossing to be provided on the B4275, to the west of the site, however no details of this have been submitted. Further work should be undertaken to demonstrate a suitable location for this facility.
- The proposed level of car parking falls well below the maximum parking provision for a development such as this. A site-specific parking accumulation exercise of the existing site should be undertaken, to demonstrate that with this and the proposed development, there would be sufficient parking provided so that vehicles do not overspill on to the local highway network.
- Trip generation of the existing What! Store has been established based on a range of trip rates from three TRICS database. It is suggested that a site-specific survey is instead undertaken, to demonstrate the actual trip generation of the What! Store.
- The proposed servicing arrangements for the What! Store give rise to highway safety concerns. Given this, it is suggested that further consideration is given to the servicing of the What! Site.
- The household survey predates the opening of the Lidl store at Tirfounder which is now trading and the £7.7million turnover ascribed to Lidl at Gadlys is overestimated.

- The turnover ascribed to the Aberdare and Mountain Ash Iceland stores in the Retail Impact Assessment is unrealistically high and the figures are at odds with the Council's own Retail Capacity Assessment 2008.
- A WYG survey 2018 estimated the turnover at Iceland Mountain Ash at £1.39 million in 2019 that Lichfield has found acceptable.
- Avison Young (for the applicants forecast Aberdare Iceland turnover of £18.8 million and Mountain Ash Iceland at £11.3 million which suggest that they are overtrading by over 440% and 300% respectively and this is at a stark contrast with other stores and is not plausible.
- Sensitivity analysis also suggests that these stores are overtrading but turnover estimates appear unrealistically high
- The impact of the overestimation of figures is significant when considering the issue of quantitative need. Planning Policy Wales requires all retail applications over 2500 sq m outside of designated retail centres to demonstrate need that is a gateway test to be carried out before impact is assessed.
- Given the concerns expressed over survey work the Council cannot be advised that Lidl, Iceland, Farm Foods are overtrading with any confidence.
- The objector takes the view that quantitative and qualitative need has not been demonstrated in the submitted detail and as such determining the application positively should be considered unsafe
- Higher than average vacancy rates in Aberdare and Mountain Ash suggests that the health of these centres is vulnerable if further shop closures occur.
- The conclusion that Iceland Aberdare could cope with additional competition is based on flawed analysis and other analysis suggests a more significant impact that could lead to the closure of that store, as the quantitative impacts are underestimated.
- The application fails to demonstrate quantitative or qualitative need and could if allowed lead to a significant adverse impact on Aberdare and Mountain Ash Town Centres and should be refused.

CONSULTATION

Highways & Transportation – No objections subject to conditions

Flood Risk Management – the applicant will not be required to submit an application to the Sustainable Drainage Systems (SuDS) approval body (SAB). The applicant should be advised of the requirement to obtain Ordinary Watercourse Consent under Section 23 of the Land Drainage Act 1991 prior to undertaking any works that may affect any watercourse identified within the site. No objections are raised.

Public Health & Protection – No objections subject to conditions

Countryside – No objections

Natural Resources Wales – Maintain the position adopted under pre application consultation which confirmed that the existing building is located on C2 floodplain and

given the scale and nature of the proposed development the proposals could be acceptable subject to the developer being made aware of the potential flood risks and advised to install flood proofing measures as part of the development.

Dwr Cymru Welsh Water – No objections subject to conditions and advisory notes.

Western Power Distribution – If the developer requires a grid connection or service alteration, it will require a separate consent from WPD.

Wales & West Utilities – advise that they have no plant or apparatus near the application site.

South Wales Fire & Rescue Service – raise no objection and offer standard advice on ensuring the presence of adequate water supplies for firefighting purposes and ensuring appropriate access for fire tenders.

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 - sets out criteria for achieving regeneration and growth.

Policy CS7 – allocates retail sites to meet strategic and local needs

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 NSA 17 – Allocates retail development sites in the northern strategy area

Policy NSA18 – identifies the retail hierarchy for the northern strategy area

Policy NSA19 – sets out criteria for retail and other development in town centres and key settlements

Policy NSA26 - Defines the Cynon River Park

Supplementary Planning Guidance

Design & 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), 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 consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

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

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 6 - Town Centre First – commercial/retail/education/health/public services

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 4: Retailing and Town Centres;
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:

The key consideration in the determination of this application is compliance with national and local planning policy in respect of retail. Other key determining factors are the impact of the proposals on the character and appearance of the area, the impact of the proposed changes on amenity and privacy, access and highway safety, along with flooding considerations.

Principle of the proposed development

Policy relevant to the consideration and determination of this application is set out above. However, the key to determining compliance or otherwise with policy and particularly retail policy lies with the Retail Impact Assessment, which gives the following conclusions: -

- The impact analysis provided by the applicant indicates that the proposed discount food store will not give rise to any significant adverse impacts upon the vitality and viability of surrounding town centres and therefore no policy conflict arises.
- The retail capacity element of the report concludes that there is a demonstrable need for the proposed development and that there is no conflict with planning policy at national or local level.
- The applicants have undertaken a sequential assessment of the site and concluded that the application site is the most sequentially preferable site.

In the view of the applicants, they have demonstrated that the proposed development passes the sequential, need and impact tests and should therefore be allowed to proceed. The submitted Retail Impact Assessment has been the subject of independent scrutiny on behalf of the Council by Lichfields who agree with its findings.

In light of the above, the principle of development is considered acceptable subject to compliance with other relevant planning considerations.

Retail Impact issues

Following the submission of the objection from a competitor raising retail impact issues the applicants were offered the opportunity to respond and then both elements were presented to Lichfield's as the Council's consultants for further analysis.

The revision revisited Retail Need and Impact Analysis taking into account the following:

- Overview
- Key data assumptions
- Quantitative and qualitative need
- Trade diversion and impact
- Impact sensitivity analysis
- Implications for town centres

The document then goes on to consider the sequential approach taking account of the following.

- Flexibility and suitability
- Analysis

Resulting from the above the following conclusions in respect of the detail submitted by both parties has been reached.

Retail need

- Lichfields updated quantitative capacity figures for Aberdare/Mountain Ash suggests a convenience goods expenditure surplus of about £9.1 Million, which suggests over three quarters capacity for the proposed Aldi Store.
- Further, trade diversion from other destinations should exceed the £2.5 million expenditure shortfall identified. The implications of this small expenditure shortfall should be viewed in the context of the expected impact on the town centre and the benefits of the proposals
- Based on Lichfields expenditure surplus the absence of a quantitative and/or qualitative need for the proposed discount food store is not reasonable grounds for a refusal of the planning application.

Retail impact

- The new Lidl store opened in July 2022 and is unlikely to have achieved settled trading
- The impact assessment is based on a household survey that predates the opening of the Lidl Store and it is necessary to estimate the cumulative trade diversion and impact of the new Lidl store along with the proposed Aldi store.
- Lichfields conducts an additional sensitivity test assuming much lower pre-development turnovers for the Iceland stores in Aberdare and Mountain Ash to address the concerns raised by Lidl. The sensitivity test demonstrates that even if the turnovers of these stores were at the minimum level identified by Lichfields (of around 35% above benchmark level), they would still achieve above company average turnovers post development. Lichfields concludes that the trade diversion and impact on convenience stores/shops in Aberdare town centre and Mountain Ash as a result of the new Lidl and proposed Aldi store are not significant and shop closures are unlikely.
- Evidence suggests that the Iceland stores are trading significantly above benchmark.
- Lichfields' sensitivity test should be considered a worse than worst-case scenario. It does not incorporate any redistribution of trade diversion (which Lichfields agree would be necessary if the turnover of the Iceland stores in Aberdare and Mountain Ash are significantly lower (than identified by Avison Young)). However, as this worse than worst-case scenario demonstrates that trade impact would not be significant, it is not necessary to reconsider the distribution of trade diversion for the purpose of the sensitivity test.
- Whilst Aberdare and Mountain Ash will be the most affected centres, most of the trade diversion from Aberdare will come from large out of centre stores that are not afforded planning policy protection from the impact of out of centre retail proposals.
- Lichfields sensitivity impact on convenience goods businesses in Aberdare town centre is about -5% with most of that coming from the Iceland store, which is currently trading well above the company average.
- Even if the Iceland store is trading much lower than suggested by the household surveys, it should continue to trade above the company average and is unlikely to experience trading difficulties.
- The trade diversion/impact on the other 17 convenience stores in Aberdare town centre is 33% that is considered relatively insignificant and unlikely to result in shop closures.
- In Mountain Ash, the percentage impact on convenience goods businesses is about -3.2% with most trade diversion coming from the Iceland store that also trades above the company average.
- If the Iceland store is trading much lower than suggested by the household survey results, it should continue to trade above the company average.

- The relatively low trade diversion and impact on convenience stores/shops in Mountain Ash is unlikely to cause shop closures. Lichfields also conclude that there will be no significant impact on other designated centres within the study area

Lichfields advise that the retail impact will not be significant and that there is no reasonable grounds for the refusal of the proposed development on this basis.

Sequential approach

- Applicants are not obliged to disaggregate proposed stores on more than one site, but the scope for flexibility needs to be considered, therefore the potential to disaggregate the proposed Aldi store and the reduced size What! Store should be considered.
- The applicant has adopted a flexible approach and the scope to accommodate a smaller Aldi store has been considered.
- Based on available information it is unlikely that any of the sites or premises identified are capable of accommodating the Aldi store within or on the edge of Aberdare and Mountain Ash town centres. None of the vacant units and opportunities identified are of sufficient size to accommodate the proposed food store allowing for appropriate flexibility.

It is concluded that there are no sequentially preferable sites within the realistic catchment area for the scale and form of development proposed compliance can therefore be demonstrated with the sequential approach to site selection in line with national and local planning policy.

The applicants Retail Impact Assessment has been independently reviewed by Lichfields on behalf of the Council and has been updated to consider the objections from Lidl. Lichfields concluded that there are no reasonable grounds for refusal.

In conclusion, the development is in accordance with the relevant development plan policies, satisfies the relevant tests, and complies with them.

Impact on the character and appearance of the area

As matters currently stand the character and appearance of the store and its surrounding area is typically one of late 20th Century industrial and commercial development, set on reclaimed land on the valley floor. It sits next to the A4059 and B4275, which are the main arterial routes through the Cynon Valley. The proposed subdivision of the unit and associated works would effectively deliver a new lease of life to what is currently a tired looking building set in a rather utilitarian wider environment. As such, the improvements are to be welcomed and are considered compliant with Local Development Plan Policies AW5, AW6, and all other considerations relating to the character and appearance of the area.

Impact on residential amenity and privacy

The property subject of the current application is located centrally within an industrial/commercial/retail area. The nearest residential properties are at least 350m distant and separated from the store by other buildings, including industrial and commercial buildings, arterial roads and natural features such as the Afon Cynon and its tributaries. Given, the physical circumstances and the fact that the nature of the application is such that it involves only a refurbishment of an existing property and a widening in the nature of the goods sold, there would be no discernible impact on residential amenity or privacy resulting from the proposed development.

Access and highway safety

One of the key considerations in the determination of this application has been the impact of the proposed development on the Highway network. To that end Highways Development Control have carried out the following detailed assessment of the proposals.

Transport Assessment (TA)

The application is supported by a Transport Assessment (TA) by Entran Dated March 2023 and a Transport Assessment Addendum (TAA) dated March 2023.

Existing Trips

In undertaking the assessment consideration has been given to the unusual nature of the What! store that does not readily fit in to the various Trip Rate Computer System (TRICS) database categories. To provide an assessment the trip rates associated with discreet classifications has been utilised as follows: - 40% non-food, 40% DIY garden centre and 20% discount food.

An updated assessment of trip generation is provided within the TAA as follows: -

Table 7.1 – Existing Trips (TRICS V7.9.3)			
Peak	Trip Generation – Total		
	Inbound	Outbound	Two-Way
<i>AM (08:00-09:00)</i>	40	25	65
<i>PM(15:00 16:00)</i>	60	64	125
<i>Daily</i>	826	741	1647

Proposed Site Trip Generation

The TA indicates the proposed trip generation within Table 7.2 that has been derived with consideration for the pass by and diverted trips already on the network and new trips. The assessment has been undertaken from first principles and the methodology published within TRICS research report 14/1 that is considered a reasonable approach to ensure a suitably accurate assessment of traffic impact.

As stated in the TA at paragraph 7.9, typically, new food stores only lead to about 10% completely new traffic, with the remainder forming pass-by and diverted trips (secondary trips) which are already on the local highway network.

On the basis of the assessment the TA proposes that 10% pass-by; and 5%-linked trips would be appropriate and is considered reasonable by the Highway Authority

Application of these factors to the Proposed Trip Generation results in the Trip rates provided within Table 7.2 of the TA reproduced below: -

Table 7.2 – Proposed Trips (TRICS V7.9.3) Aldi Only			
Peak	Trip Generation – Total		
	Inbound	Outbound	Two-Way
AM (08:00-09:00)	65	44	109
PM(15:00 16:00)	96	100	197
Daily	1288	1085	2569

Trip Rate Impact

Within the TA the Trip Rate impact derived from the consideration of existing and proposed trip rates is summarised in Table 7.3 of the TA reproduced below: -

Table 7.3 – Total New Trips			
Peak	Trip Generation – Total		
	Inbound	Outbound	Two-Way
AM (08:00-09:00)	25	19	44
PM(15:00 16:00)	36	36	72
Daily	462	345	922

The TA States at paragraphs 7.18 and 7.19 that the expected increase of circa 1 vehicle per minute during both the AM and PM peaks, clearly the impact of the development on the adjacent highway network will be imperceptible and as such does not warrant the need for any further junction or Percentage Impact Analysis.

Based on the above, the development proposals are not expected to lead to any localised material off-site highways issues on the adjacent transportation network. It is therefore concluded that the impact has been fairly and reasonably addressed and

there should be no reason for highways related objection to the proposed development.

Paragraph 7.20 of the TA indicates that Traffic Counts would be undertaken and provided for the Saturday Peak period within a Transport Addendum, (TAA), which has also been provided as part of the application.

Transport Assessment Addendum (TAA)

The TAA considers trip generation utilising additional information relating to the Saturday Peak Retail period that was not available for inclusion within the TA.

The TAA provides a revised summary of the trip generation associated with the existing use at Table 2.2 reproduced below, which includes the Saturday Retail Peak period. The minor variation in trip figures is considered acceptable in the context of the statistical processes and natural daily variation of traffic.

Table 2.2 – Existing Trips (TRICS V7.9.3)			
Peak	Trip Generation – Total		
	Inbound	Outbound	Two-Way
<i>AM (08:00-09:00)</i>	40	25	65
<i>PM(15:00 16:00)</i>	66	70	136
<i>Saturday (12:00-13:00)</i> <i>* From TA Table2.21</i>	139	143	282

The TAA also provides an assessment of the site non- food retail trips within Table 2.3 reproduced below.

Table 2.3 Proposed Site Non Food Retail Trip Generation Reduction			
Peak	Trip Generation – Total		
	Inbound	Outbound	Two-Way
<i>AM (08:00-09:00)</i>	17	11	29
<i>PM(15:00 16:00)</i>	29	30	59
<i>Saturday (12:00-13:00)</i> <i>* From TA Table2.21</i>	61	62	123

The minor variation in trip figures is considered acceptable in the context of the statistical processes and natural daily variation of traffic and independent review of the

TA and TAA by Capita, (Redstart / WSP), confirms that the trip generation and Traffic Impact Assessment including estimated pass by and diverted trips are acceptable.

Junction Capacity

The TAA provides an assessment of junction capacity at the junction of the industrial estate road and the B4275 within table 2.4 reproduced below:-

Table 2.4 – Junction Capacity Assessment of B4275 / Industrial Park Site Access

Peak	Arm	AM		PM		SAT	
		Q	RFC	Q	RFC	Q	RFC
2023 Base	Site Access	1	0.24	1	0.35	1	0.37
	B4275 RT	1	0.14	1	0.13	1	0.10
2024 Base	Site Access	1	0.25	1	0.36	1	0.38
	B4275 RT	1	0.14	1	0.13	1	0.11
2029 Base	Site Access	1	0.26	1	0.39	1	0.41
	B4275 RT	1	0.16	1	0.15	1	0.11
2024 Base + Dev	Site Access	1	0.29	1	0.49	1	0.52
	B4275 RT	1	0.20	1	0.27	1	0.27
2029 Base + Dev	Site Access	1	0.31	1	0.53	2	0.56
	B4275 RT	1	0.22	1	0.29	1	0.28

The analysis confirms that the junction operates well within its design capacity with minimal queue lengths and delay for all future scenarios.

Site Access B4275.

The site contains a single unit (Unit 1A), currently occupied by the trading What! Discount retailer. Sat centrally within Aberaman Park Industrial Estate, the What! Unit has key prominence from the access to the site via the B4275 and the A4059 which runs along the rear of the Unit.

The existing site access will not be altered by the proposed works.

The Highway Authority is aware of pre-existing problems when exiting the industrial estate onto the B4275 with regards the speed of traffic from the north and ability of a stationary driver to exit into the flow of traffic using the B4275. The applicants submitted an addendum to the Transport Assessment that considered the operation of this junction and concluded that there is no issue and no mitigation required

Access Industrial Estate.

The Industrial Estate Road is maintained at public expense and provides a carriageway of the order of 7.5-8m 8m carriageway bounded by footways to both sides. The local speed limit is 30mph.

The estate road links to the B4275 via a wide standard priority junction. To the north, the B4275 provides access to the A4059 and the wider highway network.

Internal Junction Car Park.

The proposed site access would be via the existing access. The existing site access junction has operated successfully with no known issues and there are no recorded accidents in the past five years. Therefore, no issues are expected with the re-use of the same junction to serve a discount food store.

The site access visibility envelope would comply with local design standards and accord compliant visibility splays for a 30mph zone.

Pedestrian Access

The existing Industrial Estate has poor pedestrian connectivity on the development side of the B4275 linking to the proposed. The Transport Assessment indicates that the applicant has proposed to overcome these concerns by providing a pedestrian controlled crossing on the southern side of the industrial estate access on the B4275 to provide safe and segregated facilities to the proposed and existing units on the industrial estate and would promote sustainable modes of transport in line with Planning Policy Wales 11th Edition. The applicant has submitted plans (Ref drawing SK12) showing proposed details of an off-site Puffin Crossing on the B4275 the highways officers have considered this drawing and responded to confirm that the location and general arrangement of this proposed crossing is acceptable in principle. Full details will be subject to condition (this addresses one of the principal concerns raised by Asda).

The applicant should be made aware as set out in the council's design guide for Residential and Commercial Estate Roads Section D committed sums would also be required for the future maintenance of the proposed pedestrian controlled crossing.

Whilst the applicant has indicated footway improvements would be undertaken as identified by the Authority, it is noted that pedestrian routes within the industrial estate that would be used to and from the store do not benefit from pedestrian crossing points incorporating flush kerbs and tactile paving therefore a condition requiring provision of such facilities to accommodate pedestrians with mobility issues can be secured by means of a suitably worded condition.

Accident Data

A review of the accident detail identifies no clusters or frequent common causes relating to highway deficiencies. The accidents recorded were due to arbitrary driver error or similar causes. The current accident rate in the vicinity of the site access is therefore very low, e.g. below typical mean frequency

of accidents of 1.08 per annum at roundabout junctions as advocated in DMRB TD 16/07.

There are two accidents in close proximity to the junction with the B4275 that involved a vehicle exiting the junction and one within the industrial estate both accidents are attributed to driver error.

Parking SPG Access, Circulation & Parking 2011.

The Council's parking SPG (2011) the site is located within Parking Zone 3 and advocates for Shops and small supermarkets (1001sqm –2000sqm) a maximum of 1 space for 20sqm and thereafter 1 per 14sqm GFA.

A reduced What! store of 2,542 sqm GFA, when classed as retail warehousing (non-food) (non-DIY) (> 1000 m²), should have 3 commercial vehicle spaces and 1 space per 30m², resulting in a maximum provision of 85 spaces.

This equates to:

Reduced What! Store to 2,542 sqm GFA – Max 85
New Aldi Store of 1,962 sqm GFA – Max 98
Total – Max 183

Based on current usage, known Aldi requirements and the likelihood of linked trips the proposed provision of 153 car spaces, 10 motorcycle spaces and 12 bicycle stands is considered acceptable for the proposed development.

The provision of four electric vehicle-charging points (EVCP's) with a further 20 active EVCP's to be designated as demand arises is noted and is acceptable.

Servicing HGV

What! has on average will be 12 deliveries per week including 1-2 articulated lorries, the remainder being smaller HGV's and large vans. The only issue for the What! Stores is the artic which will visit the site once or twice a week. Designing for such a delivery contrary to Freight Transport Association Guidance and would represent a significant over-design and creation of unnecessary hard standing. However, to ensure the safety of the public a condition is suggested requiring provision of a Delivery Management plan outlining measures to ensure safety during deliveries such as arranging for HDV deliveries outside of opening hours or ensuring that manoeuvres to the store are undertaken with the guidance of a banksman.

There is concern that the proposed will result in reversing manoeuvres along the public highway by articulated vehicles. However, taking into account the limited amount this would take place and there is limited traffic using this section of road being the end

unit on-balance the proposed What servicing is acceptable with the suggested mitigation measures above.

Aldi Servicing would take place from the southern service yard with all vehicles being able to access, egress in forward gear which is acceptable.

On average, each store will have only two deliveries by articulated lorry per day plus a modest number of smaller vehicles delivering locally sourced fresh produce.

Delivery routes are planned to minimise distances travelled by each vehicle and maximise efficiency of goods per delivery. This practice is economically prudent for Aldi but also sustainable by virtue of reducing vehicle kilometres travelled. Each vehicle will visit between 1 and 6 stores per trip depending on the nature of the delivery and the geographical location of the stores.

Commercial refuse collection would be undertaken on site with refuse vehicles able to access the development via the main access road for waste and recycling collection with refuse and recycling bins collected directly and wheeled to the vehicles to minimal carry/transfer distances to each unit. The refuse vehicle would be able to utilise the same HGV turning head area to ensure no long reversing manoeuvres occur on site. All of What!'s waste is currently dealt with via Veolia contract: general waste is normally collected once a week (8 yard bin) and cardboard (40 yard) once every 2- 3 weeks, except at Christmas time when more frequent collections are undertaken as it is busier.

TIS (Travel Plan).

The TIS aims to make the inevitable step change shift in overall travel mode across the area easier and quicker, providing travel choice for all. A Travel Plan should include the provision of up-to-date information about public transport services, timetables, and opportunities for car sharing (e.g. via a car share website).

The measures within the TIS, which are set out in the ALDI Staff Travel Plan, aimed at providing this travel choice include (In addition, all employees will receive details.

The Travel Pack (to be agreed with RCTCBC) will contain information on the alternatives to single occupancy car use available to staff including;

- i. Comprehensive walking and cycling route maps linking the site to local infrastructure including shops, residential areas and bus facilities;
- ii. Bus maps and timetables as well as leaflets describing the health benefits of cycling and walking;
- iii. contact details of the Travel Plan Co-ordinator for the site; and
- iv. Useful resources such as Journey Planner website to enable people to plan their own journeys.

Travel Packs will be issued to all staff as part of their induction process. Staff will also be advised of the Travel Plan and Pack during the interview process.

Public Transport

The nearest bus stops to the site are on the B4275 where bus stops are available approx. 350m from the site entrance with footways linking to the site. These stops benefit from raised kerbs, shelters and bus cages with a regular 30-minute service throughout the day. Therefore, public transport provision is considered acceptable.

Highways Conclusion

The above Transport Assessment and Addendum submitted in support of the application demonstrates that the proposed development will have little impact on the operational capacity of the existing highway network as a result of the proposed development.

Concerns raised at pre-planning stage with regard to pedestrian connectivity to the site would be addressed by the applicant's proposal to provide a pedestrian controlled crossing facility on the B4275 to enhance walking routes to the proposed in accordance with PPW 11th Edition and Active Travel Wales Act 2013. The applicant has submitted a plan (drawing ref SK12) showing detail of the off-site Puffin crossing which illustrate that the crossing can be achieved. The provision can be secured by means of a suitable worded condition requiring approval of full engineering design and detail together with details of improvements to provide uncontrolled pedestrian crossing points within the industrial estate access road to provide a safe route for pedestrians to and from the Aldi and What! stores.

Off street car parking has been provided to satisfactorily serve both the What Store and the sub-division to Aldi which is acceptable.

The proposals comply with Local and National Development Plan Policies in respect of this issue.

Other Issues:

Public Health & Protection have raised no objections to the proposed development recommending the inclusion of conditions relating to hours of operation during the construction phase, Noise and Dust. Whilst these comments are appreciated, they are all matters that are better dealt with under other legislation.

Natural Resources Wales have not objected to the proposals but have suggested that through the refurbishment of the building that additional flood resilience be considered by the developer. Whilst this would be a good thing to do, it is ultimately a matter for the developer.

The Countryside Section did initially express some concern that the alterations to the roof might be a concern if bats were present at the premises. However and having particular regard to the portal frame structure of the building and the existing metal roof and having regard to the fact that the Ecological Impact Report identified negligible potential for bats the matter does not need to be pursued further.

Other issues raised by objectors are addressed below.

Whether or not the operator imposes a 90 minute parking limit to the car park is an operational decision rather than a planning consideration.

The Aberaman Park Industrial Estate is largely an area characterised by industry, ancillary services and independent traders. This of itself does not make the use of the premises as a supermarket unacceptable. Particularly as it already trades as a shop.

The objector does not say why they believe adding Aldi to Asda and Lidl who are already present in the locality would represent unfair competition. Further, it is likely to increase competitiveness between providers which is usually to the advantage of the consumer.

The suggestion that it would be better to provide a supermarket north of Aberdare does not make the current proposals unacceptable in themselves. Members should also note that for a number of years there were two live permissions to build a supermarket in Hirwaun and a third in Robertstown. None of these permissions were taken up.

Aldi were previously present in this area having originally built and occupied the premises now occupied by Home Bargains. The fact that they pulled out of the area does not prevent them from trying again.

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 CIL (including indexation) for this development is expected to be £687,673.64, however, if the applicant can demonstrate that the existing floorspace has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable amount, the charge will be £Nil because the development will not create over 100 sqm of floorspace.

Conclusion

There are two key determining factors in respect of this particular planning application, and they are the acceptability or otherwise of the impact of the proposed development on existing retail centres that it is likely to affect and the implications of allowing the development on the wider highway network.

The submitted retail impact assessment sets out key areas for consideration and found that such impacts as the development might deliver are acceptable. Moreover, and following the submission analysis and detailed consideration of objections, the content of the Retail Impact Assessment has been subject to independent scrutiny and has not been found deficient in any way.

Similarly, with regard to Highway impacts, and despite some initial concerns with regard to parking and pedestrian connectivity, the applicants have been able to demonstrate that, subject to conditions the proposed changes are acceptable.

Having regard to the above and the fact that the proposals are acceptable in terms of development plan policy and there are no material planning considerations that indicate it should be determined otherwise than in accordance with it. The following recommendation is therefore made.

RECOMMENDATION: Approve

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

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

2. The Consent hereby granted relates to the following plans: -

- Site Location Plan Drawing No. 190885-1100-Rev P3
- Existing Site Plan Drawing No. 190885-1150-Rev P3
- Existing Roof Plan Drawing No. 190885-1250-Rev P3
- Existing Floor Plan Drawing No. 190885-1200-Rev P3
- Existing Elevations Drawing No. 190885-1300-Rev P3
- Proposed Site Plan Drawing No. 190885-1400-Rev P7
- Proposed Block Plan Drawing No. 190885-1401-Rev P3
- Proposed Roof Plan Drawing No. 190885-1490-Rev P5
- Proposed Floor Plan Drawing No. 190885-1450-Rev P7
- Proposed Elevations Drawing No. 190885-1500-Rev P7
- Soft Landscaping Proposals Drawing No. 15194/P02 Rev B
- Proposed Drainage Strategy Drawing No. 11872sk0005 Rev B

And documents received by the Local Planning Authority on 16/03/2023 and 21/03/2023, unless otherwise to be approved or superseded by details required by any other condition of this consent.

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

3. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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.

4. Before the development is brought into use the means of access, together with the parking and turning facilities, shall be laid out in accordance with submitted site plan 1400- REV P7 and approved by the Local Planning Authority. The car parking spaces shall remain for the parking of vehicles in association with the development thereafter.

Reason: In the interests of highway safety. To ensure vehicles are parked off the highway.

5. Notwithstanding the submitted layout plan, full engineering design and details of the new pedestrian controlled crossing on the B4275 including the provision of 2 metres wide footway linking to the existing provision within the industrial estate and provision of uncontrolled crossing facilities within the estate road to provide access for all pedestrians shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be in compliance with the Design Manual for Roads and Bridges and accompanied with the relevant road safety audits and implemented to the satisfaction of the Local Planning Authority prior to the occupation of the development.

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

6. Surface water run-off from the proposed development shall not discharge onto the public highway or connected to any highway drainage system unless otherwise agreed in writing by the LPA.

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

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PLANNING & DEVELOPMENT COMMITTEE

07 September 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0368/10 (GRD)
APPLICANT: Ms C Dillon
DEVELOPMENT: Change of use from function room to 4no bed & breakfast rooms
LOCATION: PLOUGH INN PUBLIC HOUSE, LEWIS STREET, ABERAMAN, ABERDARE, CF44 6PY
DATE REGISTERED: 30/03/2023
ELECTORAL DIVISION: Aberaman

RECOMMENDATION: Approve, Subject to conditions

REASONS:

The application site is in a sustainable location, within settlement boundary limits with good access to public transport, services, and facilities. It is not considered that the proposed use would conflict with surrounding uses and the proposal would provide additional holiday accommodation in the Northern Strategy Area and would support an existing business at the site.

Furthermore, the proposal would not be considered to impact upon the character and appearance of the site 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

- Three or more objections have been received.

APPLICATION DETAILS

Full planning permission is sought for the conversion of an existing function room at a public house to 4no. bed and breakfast rooms.

Internal alterations include the conversion of an existing ground floor function room and store towards the rear end of the public house to 4no. bed and breakfast bedrooms, each with ensuite facilities, along with a lobby and hallway.

External alterations would be contained to ground floor and include the installation of french doors and windows. The proposal also includes the construction of a 1.8m high

timber fence within the pub's rear curtilage to separate the bed and breakfast rooms from the existing 'beer garden' at the public house.

SITE APPRAISAL

The application site relates to an existing public house located near the junction of Lewis Street and Cardiff Road in Aberaman. The public house faces the adjacent highway to the south. The property adjoins a neighbouring residential property to the west and is bound to the north and east by a neighbouring property and its associated curtilage and driveway. Other properties are located approx. 9m to the east, and 39m to the southwest of the public house.

The public house is well-established, and the application site relates to the public house itself along with a 'beer garden' positioned to the rear and side of the public house.

The application site is located within settlement boundary limits and within the retail centre of Aberaman. The surrounding area contains a mix of uses including retail and commercial units, and residential dwellings.

PLANNING HISTORY

07/1708/10: PLOUGH INN, LEWIS STREET, ABERAMAN, ABERDARE, CF44 6PY: '*Smoking shelter*'. Granted, 27/11/2007

06/1986/10: PLOUGH INN, LEWIS STREET, ABERAMAN, ABERDARE, CF44 6PY: '*Install two white UPVC windows to first floor, decorate ex. ductwork over kitchen*'. Granted, 20/12/2006.

06/1973/01: PLOUGH INN, LEWIS STREET, ABERAMAN, ABERDARE, CF44 6PY: '*Additional Signs*'. Granted, 28/11/2006

05/0412/10: THE PLOUGH INN, 1 LEWIS STREET, ABERAMAN, ABERDARE: '*New extension to form garden lobby entrance, new kitchen and stairs to first floor, and form disabled toilet within building*'. Granted, 03/06/2005

PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of a site notices in the vicinity of the site. Letters of objection and concern have been received from four individuals. Points raised are summarised as follows:

- Concerns with parking issues and that the change of use could exacerbate problems;

- Lack of space for parking and that parking restrictions should be considered across the frontage of the pub.
- Concerns that the pub is located on a hazardous junction with vehicles parked on pavements;
- Concerns that there are existing traffic and parking problems at the site, and that the developers would have no control over vehicles belonging to customers of the site.

Objections received from two individuals were also received in relation to operations being undertaken at the public house itself:

- Noise pollution emanating from the site, along with other litter and nuisances caused by the public house;
- Objections in relation to a 'beer garden' at the public house;
- Customers of the public house blocking a neighbouring access gate;
- Concerns with the existing parking arrangements at the site.

Objections received from two individuals have also outlined concerns with works having been undertaken at the site without permission, and possible breaches of planning control:

- Concerns with a gate which has been installed at the site, which the objectors claim is a hidden fire exit which has been constructed opening onto a neighbouring driveway;
- Objections in relation to existing bed and breakfast rooms operating at the property;
- Objections with regards to a loft conversion at the public house;
- Objections that owners of the pub may be operating other businesses at the site;

A local member for the ward, Cllr. Evans has also raised concerns with regards to the application. Their concerns are in relation to parking and consider that there is no parking available for additional cars in the vicinity of the site, with cars already parked on the pavements causing numerous issues. Additionally, they have queried who would want to stay at the bed and breakfast rooms located so close to noise which emanates from the premises. The local member has also referred to a past proposal for housing homeless people at a property near the site, which they claim was refused due to its location on a 'school run'.

CONSULTATION:

Local Highway Authority
No Objections

Public Health & Protection

No Objections. Conditions and advisory notes recommended.

Dwr Cymru/ Welsh Water

No Objections. Condition and advisory notes recommended.

South Wales Fire and Rescue Service

No Objections. Advisory notes recommended.

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 relates to an existing public house that is located within settlement boundary limits. The site is also located within the Retail Centre of Aberaman. The following policies are relevant in the determination of this application:

Policy CS1 (Development in the North): sets out criteria for building strong, sustainable communities in the Northern Strategy Area.

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 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 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.

Policy AW11 (Existing Employment and Retail Uses): sets out criteria for development proposals within the defined retail centres.

Policy NSA18 (The Retail Hierarchy): sets out the hierarchy of retail centres in the Northern Strategy Area and that proposals which maintain or enhance a centre's position in the retail hierarchy will be permitted.

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 4: Retail and Commercial Development;

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the change of use of a function room at an existing public house to 4no. bed and breakfast rooms.

The application site is located within settlement boundary limits and within the identified retail centre of Aberaman, in an area which contains commercial and residential uses. The site is located on a bus route, with a bus stop located directly opposite the application site and the site has good access to other shops and facilities. The application site is in a sustainable location and the proposed use of the site as bed and breakfast rooms would not be considered to conflict with surrounding uses.

The application site is also located within the identified retail centre of Aberaman. Policy AW11 of the Local Development Plan normally requires proposals which promote alternative uses for retail units within the defined retail centres to demonstrate that the site has been fully explored without success by way of marketing at a reasonable rate. However, in this instance it is not considered necessary, as the building would be retained as a functional public house with only the rear part of the building being proposed as bed and breakfast rooms. Furthermore, the establishment of 4no. bed and breakfast rooms at the site would support the existing business.

The proposed bed and breakfast rooms would also provide additional accommodation for tourists, which is compliant with Policy CS1 of the LDP which supports developments which encourages the tourism sector within the Northern Strategy Area.

Overall, the application site is located within settlement boundary limits and in a sustainable location. It is also considered that the proposed bed and breakfast rooms would support the existing public house business at the site and the principle of development is considered acceptable, subject to other normal planning considerations which are discussed in the following sections.

Impact on the character and appearance of the area

The proposal would not result in any major external alterations to the property. Some minor external alterations are proposed to the rear of the site, including the construction of a screening fence and new ground floor openings; however, these alterations would not be highly visible within the street scene and the works proposed would not be considered to alter or harm the general character of the site or wider area.

Impact on residential amenity and privacy

New openings proposed would be contained to the ground floor of the property and would face the pub's rear 'beer garden' and a small courtyard at the site. No extensions are proposed, and it is not considered that the proposed development would adversely impact upon the amenities or privacy of neighbouring occupiers.

The rear part of the building is currently operated as a function room. The proposed 4no. bed and breakfast rooms would likely cause less noise and disturbance than that of a function room at a public house and the proposal would not be considered to significantly harm the amenities of neighbouring occupiers.

Whilst the proposed bed and breakfast rooms are considered acceptable as holiday accommodation, the rooms would fail to provide adequate space for people's full time living needs inside and outside and the site would not be considered suitable for general residential use or as someone's sole or main place of residence. As such, it is considered prudent to include a condition to restrict the use of the bed and breakfast rooms as holiday accommodation only.

Access and highway safety

The application has been assessed by the Local Highway Authority and no objection is raised in relation to the proposal. The comments received are summarised as follows:

Access

The property is served off Lewis Steet fronting its road junction with B4275 (Cardiff Road). Adjacent to the property are parking/ waiting restrictions in the form of white zig zag lines due to the nearby controlled pedestrian crossing.

The applicant proposes no alterations to the existing access arrangements which is considered acceptable.

Parking

The existing use of the public house has a parking requirement of 1 operation vehicle space and 1 space per 3 staff and 1 space per 5m² of public area including servery. However, the proposed change of use is for the function and storage room only, which

have a ground floor area of approximately 90m² which has a parking requirement of 18 spaces without taking staff into consideration.

The proposed change of use of the function room and store to 4no. bed and breakfast rooms have a parking requirement of 1 operation commercial vehicle space and non-operational requirement of 1 space per 3 non-residential staff and 1 space per bedroom. No details of the proposed employment have been submitted. However, the Local Highway Authority assume that there will be a maximum of 3 non-residential staff. Therefore, the proposal has a parking requirement of 5 spaces for residents and staff with none proposed. Commercial servicing will take place as existing on-street as per all existing retail / commercial units on Lewis Street.

Car Park

There is a public car park within 140m of the proposal, located on Lewis Street. However, it is noted that this facility is used to capacity due to the existing high on-street car parking demand generated by the existing retail / commercial uses and lack of off-street car parking facilities for existing residents.

Local Highway Authority Conclusion and Recommendation:

Concerns raised by third parties with regards to parking and highway safety issues have been considered, and it is noted that there is existing high on-street car parking demand within the vicinity of the site and that there is potential for residents of the bed and breakfast to park on street. However, the Local Highway Authority have noted that the existing use is a function and storage room, and in accordance with the SPG Access, Circulation & Parking 2011 the Local Highway Authority consider that there would be a reduction in parking requirement at the site, and on balance, no highway objection is raised.

The proposal is also located within a sustainable location near public transport which will promote sustainable modes of transport with less reliance placed on the private motor vehicle. No objections were raised by the Local Highway Authority following consultation.

Other Issues:

Following consultation, the South Wales Fire and Rescue Service have offered no objections to the proposed development.

The Council's Public Health Department have offered no objection to the proposal, with standard advice recommended in respect of hours of construction, noise, dust and waste.

The external alterations proposed include new ground floor openings and the provision of a screening fence. As such, the development would not be considered to impact

local ecological interests. However, a condition for biodiversity enhancement details is recommended.

Dwr Cymru/ Welsh Water have offered no objection to the proposal subject to a condition prohibiting any increases in the roof area of the building from connecting directly or indirectly to the public sewerage system. However, no extensions are proposed and as such, the condition is not considered necessary.

Third Party Comments:

Third parties have raised concerns with regards to existing operations at the site, with objections raised relating to noise and nuisances caused by the public house, objections in relation to a 'beer garden' at the site, concerns with existing parking arrangements at the site and the blocking of a neighbouring access gate.

Whilst these concerns have been noted, the Local Planning Authority (LPA) must nonetheless consider the application on its own merits and assess whether the change of use from a function room to 4no bed & breakfast rooms at the site is acceptable.

Concerns were also raised by third parties with regards to works at the site and possible breaches of planning control at the site, including a new pedestrian access on to neighbouring property, concerns that other bed and breakfast rooms have been in operation at the site without the required consents, a loft conversion and that other businesses may be operating from the site.

Some of these comments received by third parties would be considered private and/or civil matters between neighbouring occupiers and are not material planning considerations for the purposes of this application. However, concerns raised by neighbours over possible breaches in planning control at the application site are currently being investigated by the Local Planning Authority's Planning Enforcement Team.

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 site is in a sustainable location, within settlement boundary limits with good access to public transport, services, and facilities. It is not considered that the proposed use would conflict with surrounding uses and the proposal would provide

additional holiday accommodation in the Northern Strategy Area and would support an existing business at the site.

Furthermore, the proposal would not be considered to impact upon the character and appearance of the site 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.

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:

- Drawing No. 2927 C. Received by Local Planning Authority 09/05/2023

And documents received by the Local Planning Authority on 31/03/2023 and 09/05/2023 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 development shall be occupied as holiday accommodation only and no bed and breakfast room shall be occupied by any individual, family or group for more than a continuous period of two months in any calendar year. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason: To define and limit the extent of the permission and in the interest of residential amenity in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan

4. 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.

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PLANNING & DEVELOPMENT COMMITTEE

07 September 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0576/10 (GD)
APPLICANT: Refugio Management
DEVELOPMENT: Resubmission of proposed partial Change of Use at 22-22A Cardiff Street to create 7 new flats and retain the residential unit on the 2nd floor along with improvement works to the commercial areas at the basement and ground floor levels
LOCATION: 22-22A CARDIFF STREET, ABERDARE, CF44 7DP
DATE REGISTERED: 07/06/2023
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve subject to conditions

REASONS:

The principle of the proposed development is acceptable as the proposals comply with the relevant planning policy, its visual impact, the impact it has on amenity and privacy of neighbouring residential properties and its impact on highways safety.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

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

The layout of the building is proposed as follows: -

Basement

- Will remain an A3 use and it appears from the submitted plans that some internal walls will be removed. Duke Street elevation at this level is unaltered

Ground floor

- The A3 commercial element is consolidated towards the front of the building on Cardiff Street.
- The rear facing Duke Street is converted in to 2no. two bedroom flats.

First floor

- The first floor is converted to 3no. two bedroom flats

Second floor

- The existing flat to the Cardiff Street elevation is refurbished and upgraded to a two bedroom flat.
- The rear of the property to Duke Street has 2no. new two bedroom flats

As at present, the basement commercial unit will be accessed solely from Duke Street and remains an A3 use, (the last use of this part of the premises having been a restaurant).

All residential units will be accessed from Cardiff Street as will the commercial unit fronting Cardiff Street that also remains an A3 use (previously Shadez).

To enable the proposed development an addition would be made to the rear flat roof extension at second floor level facing Duke Street reflecting the footprint of the building and filling the building footprint at second floor level for the first time. A pitched roof would be installed over the second floor elevating and improving the flat roof of the first floor at the rear of the property. Additionally, new windows would also be introduced on the north south and east elevations of the building.

The application is accompanied by the following:

- Flood Consequences Assessment.

SITE APPRAISAL

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

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

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

PLANNING HISTORY

21/0256	Partial change of use from commercial to residential to create two commercial premises and eight flats, along with associated works (flood consequences report received 05/07/2021 amended plans received 07/07/2021)	Refused Appeal dismissed	23/12/2021 18/11/2022
20/0823/10	Proposed partial change of use from commercial to create 8 flats and associated works.	Refused	16/10/2020
06/1530/10	New restaurant frontage with roller shutters incorporated behind fascia. (Re-submission). Amended plans received 15/11/06.	Granted	05/12/2006
06/0519/10	New restaurant frontage with roller shutters incorporated behind fascia	Refused	14/06/2006

PUBLICITY

The application has been advertised by means of site notices and neighbour notification letters and two letters of objection have been received raising the following issues: -

- Cardiff Street is a permit parking regime and there is not enough space to meet the needs of existing residents (more permits than space available) – more residents pursuing the same amount of space would make life more difficult for existing residents.
- Many local residents are elderly and fear walking from Duke Street late at night if no on street parking is available on Cardiff Street.
- It is feared that during construction works vans and lorries will be parked up on Cardiff Road limiting opportunities for locals to park.
- The permit areas are important to the people living on Cardiff Street and whilst it would be a good thing to have the building improved and new accommodation provided, some thought needs to be given to existing residents.
- Would it be possible to designate an area of the Duke Street car park for Cardiff Street resident permit holders only?

CONSULTATION

Highways and Transportation – no objection is raised and no conditions relating to highways are suggested.

Natural Resources Wales – No objections

Flood Risk Management – Based on the information provided, the applicant does not appear to propose any construction works that will result in a change in the structure's external footprint. As such, the Lead Local Flood Authority does not envisage an alteration of the site's surface water discharge rate and no objections are offered.

Public Health & Protection – No objections

Dwr Cymru Welsh Water – No objections subject to conditions

South Wales Fire & rescue Service – raise no objections to the proposed development and advise that the developer should have regard to the need for the provision of adequate water supplies for firefighting purposes and access for emergency firefighting appliances.

Countryside – The Council's Ecologist has no objections to the proposed works subject to a bat advisory note being applied to any consent that might be granted.

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 situated within the Northern Strategy Area and within the settlement boundary.

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

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

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

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

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

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

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

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

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

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

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

Policy NSA12 – Housing Development Within and Adjacent to Settlement Boundaries: This policy provides for housing development within defined settlement boundaries, where it can be demonstrated that the proposal does not adversely affect the provision of car parking in the surrounding area, and that the proposal is accessible to local services on foot, cycle or utilising a range of sustainable transport options.

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

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

Supplementary Planning Guidance:

Design and Placemaking

Access, Circulation and Parking

Development of Flats – Conversion and New Build

Design in Town Centres

National Guidance

(Note: the information below is positively worded to reflect proposals that we are putting forward for approval. Refusals will need to be reworded in a negative format to reflect that they do not meet the requirements of PPW 10)

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 consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

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

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

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;
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:

Principle of the proposed development

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

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

The proposal would therefore comply with the key sustainability objectives of Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

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

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

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

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

Issues arising out of the appeal decision in respect of planning application 21/0256

The application building following the refusal of consent and subsequent dismissal of appeal in respect of application 21/0256 has led to a number of revisions to this submission that aim to address the concerns raised by the inspector in the dismissal of the appeal. The changes and justification for them are set out below.

- The development now only proposes 2 bedroom apartments and there are no three-bedroom units. The applicants believe that this will help to address the concerns of the inspector that the development would be unsuitable for family

orientated occupation because of the lack of access to any amenity space within the development and the difficulties associated with accessing it elsewhere that was a serious concern in the determination of the appeal. The reduction in bedroom numbers the applicant believes will attract couples and professionals for whom the accessibility of amenity space will be a lesser concern.

- The access on to Cardiff Street is now wider than previously proposed and the access door has a substantial fanlight. The stairwell also has the benefit of roof lights, which addresses the natural light issue insofar as the existing building will allow.
- The refuse store now has direct access on to Cardiff Street and internally the flats have sufficient space for temporary refuse storage

Whilst the site is incapable of providing amenity space internally or even within its curtilage the reduction in the number of bedrooms and improvements to the access and storage arrangements removes any concern that the proposals would not be in compliance with the requirements of Local Development Plan Policy AW5. Similarly, the reduction in the number of bedrooms makes the proposals less attractive to families, which in turn lessens the importance of ready access to amenity space, or at least the ability of occupants to access what is otherwise available. This weakens the arguments that led to the earlier appeal being dismissed.

The improvements to the access arrangements and bin and cycle storage also addresses another of the principal concerns of the inspector relating to access to the proposed development. Similarly, the improvements to bin storage in the designated areas, in, and around the flats themselves nullifies the concerns expressed by the inspector in his decision.

Impact on the character and appearance of the area

Several properties within the immediate locality contain commercial units on their ground floors with flats above. Both commercial units in the application building are currently vacant and the last use in both is known to have been an A3 type use with a restaurant in the basement on the Duke Street elevation and a bar in the ground floor Cardiff Street elevation. As such, the proposed use of the building would not be out of character with the surrounding land use.

In terms of the front façade of the building, this would remain largely as existing though the shopfront design will be altered and shortened on the street frontage to accommodate a suitably sized entrance to the proposed flats and the bin store. It is not considered that the overall appearance of Cardiff Street would significantly differ because of the change of use and associated works.

The extension to the rear of the property would however be a notable addition to the street scene and would be widely visible from the immediate area due to its prominent

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

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

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

Impact on residential amenity and privacy

It is acknowledged that two similar earlier applications at this site have been refused with one application also having been rejected at appeal. The critical differences between the previous and current application are set out elsewhere in this report.

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

The SPG provides support for proposals that do not result in the creation of undue nuisance arising from the intensity of the residential use that flats can create. Whilst the proposed use would reflect surrounding land uses, it is accepted that a degree of noise/disturbance would inevitably occur from the development. It is however considered that a greater degree of general noise it is to be expected within a town

centre location when compared to a purely residential location. As such, it is not considered that any adverse impact relating to noise/disturbance would be so severe as to warrant the refusal of the application.

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

The application incorporates the extension to the existing building through the addition of a further storey. As such, the height of part of the building would increase and some additional overshadowing would therefore occur to adjacent properties. It is not however considered that the additional overshadowing would be so severe that it would warrant the refusal of the planning application. Furthermore, the height of the proposed extension is reflective of other buildings in the locality and could not be considered overbearing.

Access and highway safety

Highways Development Control have fully considered the issues of access, existing Traffic Regulation Orders, Parking and Cycle parking in relation to the proposed development and have concluded by raising no objections to the proposals and indicating that in their view, no highway related conditions are required.

Flood Risk:

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

Whilst it is acknowledged that the proposal cannot meet the tests set out in paragraph 6.2 of TAN 15, the site is clearly previously developed land within a densely developed area and the proposal would have inevitable regeneration benefits in terms of bringing a vacant site back into use. Furthermore, the application is supported by a Flood Consequences Assessment (FCA) that fully considers the issues of flooding. Based

on this and the above, NRW have raised no objections to the proposal on flood risk grounds.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application is considered acceptable in principle and compliant with planning policy at the local and national level. The site is situated in a highly sustainable location with good access to transport options and local services and facilities. The intended use of the site would be compatible with the wider Cardiff Street area that is characterised by an increasing number of shops at street level with residential accommodation over.

Though the proposals involve a substantial extension of the property at the rear second floor level the proposals remain in keeping with the general character scale and design of the wider area, and the reuse of the site will inevitably uplift the appearance of what is currently a dated and tired looking building the appearance of which is generally to the detriment of the town centre.

The proposals have limited impact on the residents of surrounding properties despite the proposed extension and future occupants of the flats would benefit from more than adequate living space. Whilst the proposals do not involve the provision of any parking space, Members should note that given the location Highways and Transportation have not objected to the proposals given the town centre location and proximity to good public transport options

RECOMMENDATION: Approve

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

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

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

- Proposed Layout Plan Drawing No: 2023-003-22-22a Rev A
- Proposed Elevations Drawing No. 2023-004-22-22a
- Site Plan Drawing No. 2023-002-22-22a
- Existing Plans and Elevations Drawing no. 2023001-22-22a

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

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

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

Monday to Saturday:	09:00 Hours to 23:00 Hours
Sunday:	10:00 Hours to 20:00 Hours
Bank Holidays:	Closed

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

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

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

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

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

7. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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

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PLANNING & DEVELOPMENT COMMITTEE

07 September 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0910/01 (MF)
APPLICANT: Rhondda Cynon Taf CBC
DEVELOPMENT: Wooden sign installed on grass area near main entrance of the Park
LOCATION: YNYSANGHARAD WAR MEMORIAL PARK, BRIDGE STREET, PONTYPRIDD
DATE REGISTERED: 07/08/2023
ELECTORAL DIVISION: Trallwng

RECOMMENDATION: Approve, subject to conditions.

REASONS: The sign forms a visible feature within its immediate setting, but is considered to be of appropriate design, scale and construction materials that ensures it is not overly prominent from wider views and has no detrimental impact to the character and appearance of the Historic Park and Garden. Furthermore, the sign has no impact upon public safety in the vicinity.

REASON APPLICATION REPORTED TO COMMITTEE

The application has been submitted by the Council, relates to land owned by the Council, and the Council's interest is more than minor in nature.

APPLICATION DETAILS

Advertisement consent is sought for the retention of a non-illuminated sign at Ynysangharad War Memorial Park, adjacent to the Bridge Street entrance. The wooden sign measures 6m in width by 3m in height and incorporates red acrylic lettering advertising the fact that the National Eisteddfod of Wales would be held at the Park in the summer of 2024. It is proposed the sign be in place for a temporary period of one year, being removed following the conclusion of the 2024 event.

SITE APPRAISAL

Ynysangharad War Memorial Park forms a large public park within the centre of Pontypridd that accommodates various recreation facilities. It is a registered Historic Park and Garden and is located within the Pontypridd Town Centre Conservation Area. The sign subject of this application has been erected adjacent to (south-east of)

the Park's main entrance at Bridge Street (A4223). There are numerous examples of other signs throughout the Park and within the wider area.

PLANNING HISTORY

There is a long history of planning applications at the site which relate to various different developments that have taken place throughout the Park over the years. However, none are considered relevant to this application and therefore no planning history is detailed below.

PUBLICITY

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

CONSULTATION

Highways and Transportation – No objection or conditions suggested. The sign has no impact upon highway or pedestrian safety in the vicinity.

POLICY CONTEXT

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.

Rhondda Cynon Taf Local Development Plan

The application site is located inside of the settlement and defined town centre boundaries of Pontypridd.

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

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

Policy AW7 – identifies that proposals which impact upon sites of architectural or historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area.

Policy SSA1 – identifies the criteria for assessment of development within the defined town centre of Pontypridd.

Supplementary Planning Guidance

- Design and Placemaking
- The Historic Built Environment
- Design in Town Centres

National Guidance

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

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

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

Other relevant national planning policy guidance consulted:

- PPW Technical Advice Note 7: Outdoor Advertisement Control
- PPW Technical Advice Note 12: Design
- PPW Technical Advice Note 24: The Historic Environment

REASONS FOR REACHING THE RECOMMENDATION

Part 1, 4. (1) of the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended) requires that in considering applications for the display of advertisements Local Planning Authorities shall exercise their powers only in the interests of amenity and public safety.

Therefore, in considering and determining applications of this nature, the primary considerations are the effect on the visual amenity of the area, taking account of any historic, architectural or cultural features; and on public safety, including the safety of any person travelling by road, rail, on any waterway, or by air.

Principle of the Proposed Development

The application relates to the erection of a temporary sign advertising a future event at a long-established public park, the 2024 National Eisteddfod of Wales.

The Eisteddfod would not only bring cultural and economic benefits to the town of Pontypridd but also RCT as a whole. Therefore, advertising the fact that the town and County Borough will host the event is an important process and this strategic location along one of the main highways into the Principal Town where it will get maximum exposure is considered an appropriate location for the sign.

Visual Amenity

Sited at the Park boundary adjacent to the A4223, Bridge Street, the sign inevitably forms a visible feature in its immediate setting. However, it is set down from Bridge Street and back from the boundary so is not overly prominent in wider views outside of the Park. Furthermore, the sign is of appropriate design, scale and construction materials that ensures it does not impact upon views from within the Park or the Park's wider setting; and has no undue impact upon the Park's status as a Historic Park and Garden. It is also noted that the sign would be removed following the conclusion of the 2024 Eisteddfod event and the land put back to its original state. There are consequently no concerns in visual terms.

Public Safety

The Highways and Transportation section commented that the sign has no detrimental impact upon highway or pedestrian safety in the vicinity. Consequently, no objections were raised or conditions suggested. The application is therefore considered acceptable in this respect.

Community Infrastructure Levy Liability

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

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

Conclusion

While it is acknowledged the sign inevitably forms a visible feature within its immediate locality, it is not considered to have any detrimental impact upon the visual amenity of the Park or surrounding area. Furthermore, the sign has no impact upon pedestrian or highway safety in the vicinity.

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

RECOMMENDATION: Approve, subject to conditions below.

1. The consent shall expire one year from the date of this Notice, before which the advertisement sign hereby approved shall have been wholly removed from site and the land put back to its original state.

Reason: To define the extent of this consent, in the interests of visual amenity and to protect the historic character and appearance of the Historic Park and Garden, in accordance with Policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

2. The advertisement, and the site used for the display of the advertisement, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: Standard condition under the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended).

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: Standard condition under the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended).

4. Where an advertisement is required under the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended) to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: Standard condition under the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended).

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
MUNICIPAL YEAR 2022-2023:**

Agenda Item No.

**PLANNING AND
DEVELOPMENT COMMITTEE
7th SEPTEMBER 2023
REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

**APPLICATION NO: 22/1321 - Change of
use from residential to care home for
children (C2), 41 Wood Road, Treforest,
Pontypridd, CF37 1RH**

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

3. BACKGROUND

This application was reported to 17th August 2023 Planning and Development Committee meeting with an officer recommendation of approval. A copy of the original report is attached as Appendix A. At the meeting, Members were minded to refuse the application against officer recommendation. Members considered that the location of the development was inappropriate with a lack of parking provision, would impact on the local community and lacked outdoor amenity space for future occupiers. Consequently, it was resolved to defer determination of the application for a further report to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation.

4. PLANNING ASSESSMENT

The officer considerations regarding the principle of the development are outlined in the original report, however, a summary is provided below:

The application seeks consent for the conversion of an existing residential dwelling to a children's home (C2) at 41 Wood Road, Treforest.

The site is situated within the settlement boundary limits of Treforest, in a predominantly residential area. The application site has good access to key services and facilities, being located on a bus route and within walking distance of both Treforest and Pontypridd Train Stations and within walking distance of other facilities and local amenities. The application site is in a highly sustainable location and the principle of providing a children's care home at this location is considered acceptable.

No external alterations are proposed, and it is not considered that the proposed development would adversely impact upon the amenities or privacy of neighbouring occupiers. Furthermore, it is not considered that the use would result in harmful levels of noise and disturbance, nor would it have any adverse impact upon highway safety in the vicinity of the site.

The application site is also considered of a sufficient scale, with reasonable levels of outlook provided and an area of outdoor amenity space provided to the rear and side of the property. Consequently, it is considered that the development proposal would provide adequate space for people's living needs both inside and out.

The Local Highway Authority considered that, in line with the Council's Access, Circulation and Parking Requirements Supplementary Planning Guidance (SPG), the increase in parking demand at the site would be minimal. The Local Highway Authority also considered that one parking space was provided at the site and that the application site was in a sustainable location near both bus and rail stops. However, Members were concerned with a lack of parking provision at the application site and considered that the children's home would represent a commercial operation with a lot of staff required. Members considered that the development would lack adequate car parking provision, and it is considered that the development could therefore be considered unacceptable in respect of a lack of adequate parking provision which would generate demand for on street parking in the vicinity of the site and could therefore potentially impact upon highway safety, the free flow of traffic and the amenity of neighbouring occupiers.

Some outdoor amenity space is provided to the rear and side of the application site, and the development site also includes land to the rear of the site, which appeared very overgrown at the time of the officer's visit. However, Members considered that the application site lacked sufficient outdoor amenity space for future occupiers of the children's home. Policy AW5 of the Local Development Plan (LDP) lists criteria that require all proposals contribute towards creating quality places and it is therefore considered that the development could be considered unacceptable if members consider that the proposal would lack sufficient outdoor amenity space for future occupiers of the children's home.

Furthermore, members considered that the location of the site was inappropriate for a children's home, and that the proposed use would have a detrimental impact on the amenities of the local community. However, it should be noted that the area is predominantly residential, which, as outlined in the officer's original report, was considered acceptable for a children's home. Furthermore, all social care homes in Wales must comply with the Regulations and Inspection of Social Care Act (Wales) RISCA and must comply with these regulations to be registered with Care Inspectorate Wales (CIW) to provide residential care provision. Care Inspectorate Wales would also therefore be the ultimate arbiter of whether this is an acceptable location to register a children's home.

However, notwithstanding the above, should Members be minded to refuse permission, then the following reasons are considered reflective of the concerns raised.

5. RECOMMENDATION

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

1. The proposal would result in a lack of outdoor amenity space for future occupiers of the children's home. As such, the application would be contrary to Policy AW5 of the Local Development Plan.
2. The location of the development is inappropriate, and the proposed use would have a detrimental impact on the amenities of the local community. As such, the application would be contrary to Policy AW5 of the Local Development Plan.
3. The proposal would lack adequate car parking provision for the proposed use. Consequently, the creation of demand for on-street parking in the vicinity of the site would be harmful to highway safety, the free flow of traffic and the amenity of neighbouring occupiers. As such, the application would be contrary to Policy AW5 of the Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

17 August 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/1321/10 (GRD)
APPLICANT: Popcorn Property Developments
DEVELOPMENT: Change of use from residential to care home for children (C2)
LOCATION: 41 WOOD ROAD, TREFOREST, PONTYPRIDD, CF37 1RH
DATE REGISTERED: 24/01/2023
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve, Subject to conditions

REASONS: The application site is in a predominantly residential area, within settlement boundary limits and in a sustainable location with good access to public transport and key services and facilities, which is considered acceptable. The site also 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 external alterations and would not 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

- A written request has been received from a Councillor for the application to be reported to the Development Control Committee.

APPLICATION DETAILS

Full planning permission is sought for the conversion of an existing residential dwelling (C3) to a residential Children's Home (C2). The applicant has confirmed that the conversion would not result in any external or internal changes at the property, except for some minor works, such as repairing and/or replacing windows.

The application property has 8 bedrooms, with 6 of those bedrooms having en-suite facilities. The property also benefits from a kitchen, utility room, front room and living

space. Externally, the property benefits from a small outdoor amenity space and a detached garage.

A Statement of purpose submitted with the application notes the following:

The home would cater to young people, with a range of complex needs and issues. The age range of children would be between the ages of 11 to 18 years; however, the supporting statement also notes that it is recognised that mixing young people with large age gaps may not be suitable, and as such, the home would endeavour to ensure young persons under their care would be no more than 3 years apart in age range and that if this is not possible then there may be a need to reduce the occupancy of the home.

The statement notes that the Care Home would have a maximum capacity of 5no. residents. Each resident's bedroom would have en-suite facilities, whilst a provision of a separate shower and W/C is available for staff to use.

The supporting statement notes that all staff would be registered with or working towards registration with Social Care Wales. When the home is fully occupied, the staffing ratio throughout the day would be 1no. Manager, 1no. Shift lead/ Senior and 4no. Residential Care Worker. Overnight, there would be 3no. night staff with two on a sleep and one on a waking shift. It is noted in supporting information that the manager would be at the home Monday to Fridays for extra support if needed.

The care home would provide the residents with a living room area, a dining area, along with an outdoor garden/ yard.

SITE APPRAISAL

The application site relates to a rectangular shaped parcel of land is located on land that steeply slopes down from Cliff Terrace. From the frontage the property is viewed as a two-storey building, but the building is arranged over three floors due to the steep slope. The property is set back from and faces the adjacent highway to the southwest. A detached garage is also sited within the curtilage of the property. The property benefits from a small garden to the rear and side. The development redline boundary also includes land to the rear of the site, which is set at a lower ground level and appeared very overgrown at the time of the officer's visit.

The site is bound to the southwest by the adjacent highway, with the railway line to the northeast of the site. A neighbouring detached property is located approx. 9m to the southeast of the application property, and a disused Church is located to the northwest of the site. Whilst the church is currently vacant, planning permission was granted on appeal for the conversion of the church to 8 apartments in 2022.

The surrounding area is predominantly residential with a mix of detached and terraced properties visible from the application site. The area is also marked by several Licenced HMOs in proximity to the application site.

PLANNING HISTORY

09/0334/10: LAND ADJACENT TO 41 WOOD ROAD, TREFOREST, PONTYPRIDD, CF37 1RH. 'Construction of 1 no. detached house with parking area.' Refused, 04/02/2010

PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of a site notice in the vicinity of the site. Letters of objection have been received from two individuals. Points raised are summarised as follows:

- No parking available at the property, and lack of parking spaces within the street;
- The street is already congested;
- Property would be more appropriate for students who don't need cars;
- Concerns with the loss of housing stock. Rented family accommodation is scarce due to the number of HMOs in the area;
- No facilities for the teenagers proposed to be accommodated;
- No public transport in the area;
- Concerns with the provision of two children's homes in proximity to each other, with another located along Tower Street.

The Local Member for the ward, Cllr. Powderhill has also noted his concerns with the application. Concerns raised note that the loss of another family home in the area would be harmful to the community. Concerns have also been raised that there are Houses in multiple Occupation (C4 Use Class) in proximity to the site with no control of occupants with many properties housing people with social and other issues. The Local Member has also noted that the highway is dangerous with inadequate parking facilities provided for staff and visitors. Furthermore, the Local Member is concerned due to problems caused within the area by another children's home.

CONSULTATION

Pontypridd Town Council

No Comments

Local Highway Authority

No Objection

Public Health & Protection

No Objection

South Wales Police

Concerns expressed

Waste Services

No Comments

South Wales Fire and Rescue Service

No Objection

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 relates to an existing residential property, that is located within settlement boundary limits. The following policies are 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 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 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.

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 12: Design;

PPW Technical Advice Note 18: Transport;

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues

Principle of the proposed development

The application relates to the change of use of an existing residential dwelling (Use Class C3) to a residential Care home for up to 5 children (Use Class C2).

The site is situated within the settlement boundary limits of Treforest, in a predominantly residential area. The application site has good access to key services and facilities, being located on a bus route and within walking distance of both Treforest and Pontypridd Train Stations and within walking distance of other facilities and local amenities.

The application site is in a highly sustainable and predominantly residential area and located within settlement boundary limits. The principle of providing a care home at this location is therefore considered acceptable, subject to other normal planning considerations which are discussed in the following sections.

Impact on the character and appearance of the area

The proposal would not result in any external alterations to the property. The character and appearance of the property would therefore remain as existing. Furthermore, the provision of a children's care home in a predominantly residential area would not be considered to alter or harm the general character of the area.

Impact on residential amenity and privacy

The proposal would not result in any external alterations to the property and as such, it is not considered that the proposed development would adversely impact upon the amenities or privacy of neighbouring occupiers.

Furthermore, other than the element of care and the presence of staff, it is considered that the proposed residential care home, with a maximum number of 5 children, would be of a limited scale and would generally exhibit similar residential characteristics as that of the existing residential dwelling. Consequently, 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.

Whilst concerns have been raised with regards to the location of the proposed care home for children, the area is nonetheless predominantly residential, and the property's immediate neighbours include a residential dwelling to the east of the site and a disused church to the west of the site with planning permission granted for residential use. The provision of a care home for children in a sustainable and predominantly residential area is considered acceptable and appropriate in terms of its impact on residential amenity.

The application site is also considered of a sufficient scale, with reasonable levels of outlook provided and an area of outdoor amenity space provided to the rear and side of the property. Consequently, it is considered that the development proposal would provide adequate space for people's living needs both inside and out.

Access and highway safety

The application has been assessed by the Local Highway Authority and no objection is raised in relation to the proposal. The comments received are summarised as follows:

Access

The proposal is served off Wood Road and located at the junction of Cliff Terrace. There are double yellow lines preventing on-street car parking fronting the site to protect the junction of Cliff Terrace and maintain the free flow of traffic.

Parking: Access, Circulation and Parking Supplementary Planning Guidance (SPG)

Existing:

The existing use as an 8-bedroom residential dwelling requires up-to a maximum of 3 off-street car parking spaces with one provided in the adjacent garage.

Proposed:

Residential children's homes / homes for elderly person's / nursing homes require 1 parking space per resident staff, 1 space per 3 non-resident staff, 1 space per 4 beds.

The proposed use to a children's care facility with up-to 5 residents and 10 staff with a maximum of 6 staff members on site at any one time require up-to a maximum of 4 off-street car parking spaces with one provided in the existing garage.

There are only 3 staff on a sleep shift pattern during the night when street space is at its highest in demand.

Some concern is raised due to the location of the proposal, with high on-street car parking demand and limited space available for on-street car parking. Objections have also been raised by neighbours and third parties in relation to a lack of parking spaces at the site and within the street, with objectors noting that the street is already congested.

However, whilst these objections have been noted and considered, considering the increase in the car parking demand is minimal (1 space) to the existing use at the site, along with the sustainable location of the proposal near both bus and rail stops to promote sustainable modes of travel, on balance the proposal is acceptable.

Local Highway Authority Recommendation:

Taking the above into consideration on-balance the proposed is acceptable in terms of Highway Safety, Parking and Access and no objections were raised by the Local Highway Authority.

Community and Children's Services:

Consultation was undertaken with the Council's Community and Childcare Services Department, who have raised significant concerns and have objected to the planning application.

In their consultation response, they have noted that best practice in terms of establishing new care homes strongly supports that a location assessment is carried out ahead of establishing a new children's home. This is deemed necessary to match new development with local need, and to seek Local Authority and Police views about the suitability of the site. Furthermore, it is noted that a location assessment is important from the point of view of safeguarding and crime prevention, particularly linked to safeguarding young people from criminal exploitation.

The Council's Community and Childcare Services have advised against this specific location for a care home as they hope to see a better spread of such services across Rhondda Cynon Taf and consider that there are several accommodation provisions for vulnerable people within this community.

The Council's Community and Childcare Services Department also raised concerns as to whether any setting could meet the needs of 5 children with complex needs in one home.

The Council's Community and Childcare Services Department have noted that there is a need for children's homes in Rhondda Cynon Taf. However, they have objected to the proposal as they consider that there is insufficient need for a care home at this location. Furthermore, the Council's Community and Childcare Services Department object to the proposal as they consider that insufficient engagement was undertaken with the Council's Children's Services Department in the location assessment.

The Council's Community and Children's Services Department have also noted that all social care homes in Wales must comply with the Regulations and Inspection of Social Care Act (Wales) RISCA and must comply with these regulations to be registered with Care Inspectorate Wales (CIW) to provide residential care provision. As part of this process, applicants would need to provide a location assessment, Statement of Purpose, and Policies in relation to the provision of care and support, along with other relevant information. As advised by the Council's Community and Children's Services Department, this process applies to all homes seeking registration in Wales.

Comments received from the Council's Children's Services department are noted and have been considered; however, the nature of concerns and objections received are not considered material planning considerations. As outlined above, issues and objections raised by the Council's Community and Children's Services Department could be addressed through the process of complying with the Regulations and Inspection of Social Care Act (Wales) (RISCA) and through registering with Care Inspectorate Wales (CIW).

Consequently, issues raised by the Council's Community and Childcare Services Department would be addressed under legislation, regulations and procedures relating to Social Care Provision in Wales, with processes and regulation undertaken by the Council's Community and Children's Services Department and Care Inspectorate Wales.

Other Issues:

Following consultation, the South Wales Fire and Rescue Service have no objections to the proposed development.

The Council's Public Health Department have issued no objection to the proposal, with standard advice recommended in respect of hours of construction, noise, dust and waste.

No external or internal alterations are proposed, and as such, the development would not be considered to impact local ecological interests. However, a condition for biodiversity enhancement details is recommended.

Third Party Comments:

Objections have been received opining that the property would be more appropriate for students, who objectors claim do not need cars. Additionally, objections have been received with regards to the loss of housing stock in the area, noting that rented family accommodation is scarce due to the number of HMOs in the locality. Whilst these concerns have been noted, the Local Planning Authority (LPA) must consider the application on its own merits and assess whether the provision of a care home for children (Use Class C2) would be acceptable at this site. The LPA consider that the provision of a Residential Care Home, in a sustainable location and within a predominantly residential area is acceptable in principle.

Concerns were also raised by objectors that there are no facilities within the locality for teenagers which would be resident at the site, and that there is no public transport within the area. However, it is considered that the application site is located on a bus route, within walking distance of train stations and has good accessibility to key facilities and amenities.

Concerns have also been raised that another care home is located close to the application site, with objectors noting that the other children's home currently in operation has caused 'trouble' in the area. However, it is considered that other bodies including Care Inspectorate Wales, the Council's Community and Childcare Services Department and South Wales Police would be best placed to ensure the care home meets the required standards and regulations, along with effective operations at the care home.

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 site is in a predominantly residential area, within settlement boundary limits and in a sustainable location with good access to public transport and key services and facilities, which is considered acceptable. The site also 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 external alterations and would not 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.

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 Location Plan. Title Number: WA304452
- Drawing Title: Existing Floor Plans;
- Drawing Title: Existing Floor Plans;
- Drawing Title: Existing Site Plan;

And documents received by the Local Planning Authority on 10/11/2022, 19/01/2023, 24/01/2023, 15/06/2023 and 13/07/2023 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 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 and highway safety in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. 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.

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
MUNICIPAL YEAR 2022-2023:**

Agenda Item No.

**PLANNING AND
DEVELOPMENT COMMITTEE
7th SEPTEMBER 2023
REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

APPLICATION NO: 23/0398 - Change of use from a HMO (C4 use) to a Children's Home and associated works. (Amended Site Location Plan received 08/06/2023), 37 Elizabeth Street, Aberdare, CF44 7LN

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

3. BACKGROUND

This application was reported to 17th August 2023 Planning and Development Committee meeting with an officer recommendation of approval. A copy of the original report is attached as Appendix A. At the meeting, Members were minded to refuse the application against officer recommendation. Members considered that the property lacked outdoor amenity space for future occupiers and lacked vehicle parking provision. Consequently, it was resolved to defer determination of the application for a further report to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation.

4. PLANNING ASSESSMENT

The officer considerations regarding the principle of the development are outlined in the original report, however, a summary is provided below:

The application seeks consent for the conversion of an existing property, last used as a small HMO (C4) to a residential Children's Home (C2) at 37 Elizabeth Street, Aberdare.

The application site is situated within the settlement boundary limits of Aberdare, in a predominantly residential area. The application site is located near Aberdare Town Centre and the identified Retail Centre of Aberdare and has good access to services and facilities. The application site is also within walking distance of local bus stops and Aberdare Train Station. The application site is in a sustainable location and the principle of providing a children's care home at this location is considered acceptable.

The site relates to an existing residential property and, other than the presence of a small number of staff and an element of care provided, the proposed use would remain and continue to be residential in nature, which is considered acceptable. The site is also considered to be of an appropriate scale to accommodate future occupants with adequate space provided for people's living needs both inside and out.

Additionally, no external alterations are proposed at the property, and the development would not impact upon the character and appearance of the application property or wider area. Furthermore, the development would not be considered to impact upon the amenity and privacy of surrounding properties, nor would it have an adverse impact upon highway safety.

The Local Highway Authority considered that, in line with the in line with the Council's Access, Circulation and Parking Requirements Supplementary Planning Guidance (SPG), the development would have the same parking requirements as what would be required of a normal residential property at the site. The Local Highway Authority also noted that the application site's last use as a House in Multiple Occupation (HMO) requires 2no. additional car parking spaces compared to the proposed use of the site. However, Members considered that there would be rotating staff attending the site along with the associated vehicular activity and consider that the proposal lacks adequate car parking provision for the proposed use. It is therefore considered that the development could be considered unacceptable in respect of a lack of adequate parking provision which would generate demand for on street parking in the vicinity of the site and could therefore potentially impact upon highway safety, the free flow of traffic and the amenity of neighbouring occupiers.

Some outdoor amenity space is provided to the rear of the application site. However, Members considered that children deserve and should expect sufficient levels of outdoor amenity space and consider that the application site lacks outdoor amenity space for future occupiers of the children's home. Policy AW5 of the Local Development Plan (LDP) lists criteria that require all proposals contribute towards creating quality places and it is therefore considered that the development could be considered unacceptable if Members consider that the proposal would lack sufficient outdoor amenity space for future occupiers of the children's home.

Should Members be minded to refuse permission, then the following reasons are considered reflective of the concerns raised.

5. RECOMMENDATION

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

1. The proposal would result in a lack of outdoor amenity space for future occupiers of the Children's Home. As such, the application would be contrary to Policy AW5 of the Local Development Plan.
2. The proposal would lack adequate car parking provision for the proposed use. Consequently, the creation of demand for on-street parking in the vicinity of the site would be harmful to highway safety, the free flow of traffic and the

amenity of neighbouring occupiers. As such, the application would be contrary to Policy AW5 of the Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

17 August 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0398/10 (GRD)
APPLICANT: Mason and Young Property Investments Limited.
DEVELOPMENT: Change of use from a HMO (C4 use) to a Children's Home and associated works. (Amended Site Location Plan received 08/06/2023)
LOCATION: 37 ELIZABETH STREET, ABERDARE, CF44 7LN
DATE REGISTERED: 08/06/2023
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve, Subject to conditions

REASONS: The application site is located within a predominantly residential area and within the settlement boundary limits of Aberdare. The site is in a highly sustainable location with good access to public transport, facilities, and key services.

The site also relates to an existing residential property and, other than the presence of a small number of staff and an element of care provided, the proposed use would remain and continue to be residential in nature.

Additionally, no external alterations are proposed at the property, and the development would not impact upon the character and appearance of the application property or wider area. Furthermore, the development would not be considered to impact or upon the amenity and privacy of surrounding properties, nor would it have an adverse impact upon highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

- A written request has been received from Councillors for the application to be reported to the Development Control Committee.

APPLICATION DETAILS

Full planning permission is sought for the conversion of an existing property, last used as a small HMO (C4) to a residential Children's Home (C2). The applicant has confirmed that the conversion would not result in any external changes with minimal internal changes required.

The proposed care home would contain a living room, kitchen and utility room to ground floor, with 2 no. bedrooms, a bathroom and W/C to first floor, with two further bedrooms and a living room to the second floor.

The application is supported by a planning statement which includes the following information in relation to the proposed care home for children:

The property would accommodate a maximum number of 2no. children and 2no. carers, who would sleep at the property overnight. Staff would work 48hour shifts. The statement also notes that children placed at the home would stay on a long-term basis which is likely to be more than 18 months with the care provider noting in their statement that the process of accepting children to the home would be via referrals from Social Services.

SITE APPRAISAL

The application site relates to a three-storey terraced property located near the junction of Elizabeth Street and Griffith Street in Aberdare.

The principal elevation of the property faces the adjacent highway at Griffith Street to the north of the site. The site is adjoined to the west and south by its neighbouring terraced properties and the site is bound to the east and north by adjacent public highways.

The application site itself relates to a three-storey property and a small rear garden is provided within the curtilage of the property. The surrounding area is predominantly residential with both Elizabeth Street and Griffith Street containing terraced properties.

PLANNING HISTORY

22/1221/09: 37 ELIZABETH STREET, ABERDARE CF44 7LN: '*Certificate of Lawfulness for the change of use from C4 to C3 use and the proposed use of the dwelling as a children's home*'. Withdrawn, 21/12/2022

16/5062/41: 37 ELIZABETH STREET, ABERDARE CF44 7LN: Pre-application query. Withdrawn, 16/11/2016

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. No letters of objection from neighbours were received.

The Local members for the ward, Cllr Bradwick and Cllr Dunn, have objected to the application. They have noted their concerns with the proposal and do not consider that this is a suitable location for a children's care home facility.

CONSULTATION:

Local Highway Authority

No Objection

Public Health & Protection

No Objection. Conditions and Advisory Notes recommended.

South Wales Police

No Objections, subject to condition. Advisory Notes recommended.

South Wales Fire and Rescue Service

No Comments received.

Community and Children's Services

Objects to the planning 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 relates to an existing residential property, that is located within settlement boundary limits. The following policies are relevant in the determination of this application:

Policy CS1 (Development in the North): sets out criteria for achieving strong, sustainable communities in the Northern Strategy Area.

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 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 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.

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 12: Design;
PPW Technical Advice Note 18: Transport;

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the change of use of an existing residential property and small house in multiple occupation (HMO) (C4 Use) to a residential Care home for up to 2no. children (Use Class C2).

The site is situated within the settlement boundary limits of Aberdare, in a predominantly residential area. The application site is located near Aberdare Town Centre and the identified Retail Centre of Aberdare and has good access to services and facilities. The application site is also within walking distance of local bus stops and Aberdare Train Station.

The application site is in a sustainable location and predominantly residential area and is also located within the settlement boundary limits of Aberdare. The principle of providing a children's care home at this location is therefore considered acceptable, subject to other normal planning considerations which are discussed in the following sections.

Impact on the character and appearance of the area

External alterations are not proposed at the property. As such, the character and appearance of the property and site would remain as existing. Furthermore, the provision of a children's care home in a predominantly residential area would not be considered to alter or harm the general character of the wider area.

Impact on residential amenity and privacy

No external alterations are proposed at the property, and as such, it is not considered that the proposed development would adversely impact upon the amenities or privacy of neighbouring occupiers.

The development would result in an element of care and presence of a small number of staff at the site. However, with a maximum number of 2 children and 2 carers at any one time, it is considered that the proposed use would be of a limited scale and would largely exhibit similar characteristics as that of a residential dwelling. As such, it is not considered that the use would result in harmful levels of noise and disturbance, and it is considered that any potential impact upon surrounding properties would be limited in this regard.

The application site is also considered of an appropriate scale to accommodate future occupants, with reasonable levels of outlook provided and a small outdoor amenity space also provided to the rear of the property. In terms of access to outdoor amenity space, there is also an accessible Council owned outdoor play area within walking distance of the application site. Consequently, it is considered that the development proposal would provide adequate space for people's living needs both inside and out.

Access and highway safety

The application has been assessed by the Local Highway Authority and no objection is raised in relation to the proposal. The comments received are summarised as follows:

Access

Primary access to the proposal is via Griffith Street, which is a one-way street with residents only parking on the opposite side of the road to the proposed Children's Home, with double yellow lines on the development side to maintain traffic flow.

Elizabeth Street fronting the development site has double yellow lines preventing on-street car parking on both sides.

Pedestrian access is gained via continuous footways which are acceptable for safe access to the proposal.

Parking: Access, Circulation and Parking Supplementary Planning Guidance (SPG)

Existing:

The existing use as a 5-bedroom residential HMO requires up-to a maximum of 5 spaces with none provided.

Proposed:

Residential children's homes / homes for elderly person's / nursing homes require 1 parking space per resident staff, 1 space per 3 non-resident staff, 1 space per 4 beds.

The proposed change of use to a children's care facility with up-to 2 residents and 2 staff members on site at any one time would require up-to a maximum of 3 off-street car parking spaces with none provided.

The off street-parking requirement of the proposed use would therefore equate to 3no. parking spaces, the same as what would be required of a normal residential property (Use Class C3) at the site. The Local Highway Authority also consider that the current use as an HMO requires 2 additional car parking spaces compared to the proposed use of the site. As such, the Local Highway Authority raise no objection to the proposal with regards to parking.

There is also a public car park near the application site that could be used by staff and visitors, with further car parks located within the town centre, which is a short walk from the application site.

Surrounding streets within the vicinity of the site are also controlled by a car parking permit Zone for residents only.

Sustainability:

As discussed previously, the proposed care home would also be located on the outskirts of Aberdare Town Centre, which offers a variety of local facilities and public transport options to promote less reliance on the private motor vehicle as the primary mode of transport.

Local Highway Authority Recommendation:

The Local Highway Authority consider that the proposed change of use to a children's home requires 2 less car parking spaces than the existing use as an HMO, in accordance with the Council's car parking standards. Therefore, due to the lesser car parking demand and the site's sustainable location, with existing controls in place to prevent indiscriminate car parking, no objections have been raised by the Local Highway Authority.

Community and Children's Services:

Consultation was undertaken with the Council's Community and Childcare Services Department, who have raised significant concerns and have objected to the planning application.

The Council's Community and Childcare Service Department have noted that the care home firm which seeks to operate the children's home is an experienced provider of residential care, and it is noted that this is a service that is in insufficient supply.

However, objections have been raised to the proposal on the basis that there are 2 other children's homes located in the area, where in the case of one of those homes, the Council has responded to community representations resulting in a negative impact to resident children and staff well-being. However, it should also be noted that these care homes are located at least 1km away from the application site; and as such, are not located in close proximity to the application site.

An objection has also been raised by the Council's Community and Childcare Services department as the care provider has been unable to share plans in relation to what will happen to the care home when a law changes on 01/04/2027, which will make it unlawful to operate a 'for profit' children's home. Children's services have also published its residential transformation strategy where they seek to ensure that there is a mix of services that are required by Rhondda Cynon Taf children across the Local Authority footprint. They have requested that developers do not consider this specific area for consideration for establishing a care home.

The Council's Community and Children's Services Department have also noted that all social care homes in Wales must comply with the Regulations and Inspection of Social Care Act (Wales) RISCA and must comply with these regulations to be registered with Care Inspectorate Wales (CIW) to provide residential care provision. As part of this process, applicants would need to provide a location assessment, Statement of Purpose, and Policies in relation to the provision of care and support, along with other relevant information. As advised by the Council's Community and Children's Services Department, this process applies to all homes seeking registration in Wales.

Whilst comments received by the Council's Children's Services department have been noted, it is considered that the nature of concerns and objections received would not be material planning considerations for the purposes of this application. Some of the issues raised could also be addressed through the process of complying with the Regulations and Inspection of Social Care Act (Wales) (RISCA) and through registering with Care Inspectorate Wales (CIW).

Consequently, the consultation response and comments received by the Council's Community and Childcare Services Department would be addressed under legislation, regulations and procedures relating to Social Care Provision in Wales, with processes and regulation undertaken by the Council's Community and Children's Services Department and Care Inspectorate Wales.

South Wales Police:

Consultation has been undertaken with South Wales Police with regards to the planning application. No objections were received; however, South Wales Police have

requested a condition be attached to any grant of planning permission for the submission of a management plan to be submitted and approved prior to the premises opening. A condition ensuring a management plan be submitted prior to the use commencing is therefore recommended.

Other Issues:

The Council's Public Health Department have issued no objection to the proposal, with standard advice recommended in respect of hours of construction, noise, dust and waste.

No external or internal alterations are proposed, and as such, the development would not be considered to impact local ecological interests. However, a condition for biodiversity enhancement details is recommended.

Matters Raised by the Developer:

The developer, through their planning agent, has also included within their submission a statement outlining that the property was last used as a House in Multiple Occupation (HMO) (C4 Use) and that under permitted development rights could be used as a residential dwellinghouse (C3 Use). They have noted that the applicant could therefore operate the property under C3 use without planning permission and following a reasonable amount of time as an established residential property, could apply for a Certificate of Lawfulness to establish a Children's Care home at the site. The developer contends that case law exists which indicates that a small-scale children's care home operates so similarly to that of a residential dwellinghouse (C3 use) that no material change would occur and that a Certificate would likely be granted in such a situation.

Consequently, the developer states that they consider that based on the circumstances of this application, that they could operate the site as a residential dwelling (C3 use) under permitted development rights and in future could successfully apply for a Certificate of Lawfulness to establish a children's care home at the site. The developer has stated that they consider this a material fallback position. Furthermore, the developer notes that operating a normal residential dwelling at the site (C3 use) would exhibit similar characteristics to that of a small-scale care home for children with 2no. staff.

The Local Planning Authority acknowledge that the property last used as a small house in multiple occupation (HMO) (C4 Use) could be occupied as a residential dwelling (C3 Use) under permitted development rights. However, the developers have based their argument that they could successfully apply for a Certificate of Lawfulness to establish a children's care home at the site on an interim step which has not been implemented. It is also considered that any future application for a Certificate of Lawfulness at the site would need to be considered on its own merits and would be assessed on the evidence and supporting information provided as part of that application.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application site is located within a predominantly residential area and within the settlement boundary limits of Aberdare. The site is in a highly sustainable location with good access to public transport, facilities, and key services.

The site also relates to an existing residential property and, other than the presence of a small number of staff and an element of care provided, the proposed use would remain and continue to be residential in nature.

Additionally, no external alterations are proposed at the property, and the development would not impact upon the character and appearance of the application property or wider area. Furthermore, the development would not be considered to impact or upon the amenity and privacy of surrounding properties, nor would it have an adverse impact upon highway safety.

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 Location Plan. Title Number: WA349205. Received by Local Planning Authority 08/06/2023
- Existing and Proposed Plans. Drawing No. PL 01

and documents received by the Local Planning Authority on 11/04/2023, 08/06/2023 and 09/07/2023 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 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 and highway safety in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. 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.

5. The use hereby approved shall not commence until a management plan for the premises has been submitted to and approved 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.

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PLANNING & DEVELOPMENT COMMITTEE

07 SEPTEMBER 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 07/08/2023 – 25/08/2023

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

07 SEPTEMBER 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

No new appeals

No appeal decisions

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

Report for Development Control Planning Committee

07/08/2023 and 25/08/2023

Cwmbach

- 22/0408/10** Decision Date: 24/08/2023
Proposal: Demolition and reconstruction of existing coach house to form ancillary accommodation to main house and pool (retrospective) (amended plans and details received 13/07/2022) (further amended plans and details
Location: LLETYSHENKIN HOUSE, CEFNPENNAR ROAD, CWM-BACH, ABERDARE, CF44 0EW

Aberaman

- 23/0187/10** Decision Date: 09/08/2023
Proposal: Creation of drop kerb to allow vehicular access and alterations to garden to create drive way.
Location: 241 CARDIFF ROAD, ABERAMAN, ABERDARE, CF44 6RE

- 23/0574/10** Decision Date: 25/08/2023
Proposal: Proposed new dwelling
Location: LAND ADJACENT TO BRIARDENE, HILLCREST AVENUE, ABERAMAN, ABERDARE, CF44 6YH

- 23/0671/01** Decision Date: 16/08/2023
Proposal: Replacement of 1no. existing 48-sheet poster board with a digital advertising screen (D-Poster).
Location: 22 CLARENCE STREET, ABERAMAN, ABERDARE, CF44 6SD

Abercynon

- 23/0621/10** Decision Date: 10/08/2023
Proposal: Two storey extension
Location: 78 BRYNTIRION, TYNTETOWN, MOUNTAIN ASH, CF45 4EX

- 23/0685/10** Decision Date: 09/08/2023
Proposal: Steel security container (approx 20x8 foot) for storage of football equipment only (mini goals, flags, etc) for junior football teams.
Location: ABERCYNON SPORTS CENTRE, ABERCYNON RECREATION GROUND, PARK ROAD, ABERCYNON, MOUNTAIN ASH, CF45 4UY

Aberdare East

- 23/0432/12** Decision Date: 22/08/2023
Proposal: Listed Building Consent for the replacement of front window with new entrance door, including internal alterations to enable continued use of church meeting rooms separate to the residential function of the
Location: PRESBYTERY, 54 MONK STREET, ABERDARE

- 23/0480/10** Decision Date: 22/08/2023
Proposal: Replacement of front window with new entrance door, including internal alterations to enable continued use of church meeting rooms separate to the residential function of the presbytery.
Location: PRESBYTERY, 54 MONK STREET, ABERDARE

Brynna and Llanharan

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

Report for Development Control Planning Committee

07/08/2023 and 25/08/2023

Brynna and Llanharan

23/0672/10 Decision Date: 24/08/2023
Proposal: Proposed porch extension to front of the property and proposed garage to the side.
Location: 17 WESTBOURNE TERRACE, LLANHARAN, PONTYCLUN, CF72 9RW

23/0703/10 Decision Date: 08/08/2023
Proposal: Extended dormer and extension to rear of the property
Location: ARRANMORE, BRYNNA ROAD, BRYNNA, BRIDGEND, CF35 6PD

Church Village

23/0691/19 Decision Date: 22/08/2023
Proposal: Large oak tree in the garden which is subject to a TPO that requires a reduction in size.
Location: 2 LIMETREE CLOSE, CHURCH VILLAGE, PONTYPRIDD, CF38 2GE

Cilfynydd

23/0631/10 Decision Date: 22/08/2023
Proposal: Proposed single storey extension to rear and proposed dormer to first floor to front
Location: 1 SILVERHILL CLOSE, CILFYNYDD, PONTYPRIDD, CF37 4HU

23/0639/10 Decision Date: 24/08/2023
Proposal: Renovation of an existing building to include one additional apartment and the retention of one apartment and commercial space.
Location: 40A RICHARD STREET, CILFYNYDD, PONTYPRIDD, CF37 4NP

Cymer

23/0872/10 Decision Date: 25/08/2023
Proposal: Replacement of existing dilapidated porch and new build slightly larger porch footprint plus new external changes to main house
Location: 266 TREBANOG ROAD, TREBANOG, PORTH, CF39 9EL

Ferndale and Maerdy

23/0829/10 Decision Date: 23/08/2023
Proposal: First floor rear extension.
Location: 25 BRYNGOLEU CRESCENT, FERNDALE, CF43 4LT

Hirwaun, Penderyn and Rhigos

Hirwaun, Penderyn and Rhigos

23/0710/10 Decision Date: 22/08/2023
Proposal: Proposed first floor extension on top of existing ground floor extension to extend the existing Bedroom and Bathroom.
Location: 9 DENBEIGH COURT, HIRWAUN, ABERDARE, CF44 9QH

Llanharry

23/0545/10 Decision Date: 15/08/2023
Proposal: Two storey side extension, detached garage & rear detached 'granny annex'.
Location: 8 HAWTHORN ROAD, LLANHARRY, PONTYCLUN, CF72 9JD

23/0726/10 Decision Date: 22/08/2023
Proposal: Single storey rear extension
Location: 8 SGUBOR GOCH, LLANHARRY, PONTYCLUN, CF72 9NF

Llantrisant and Talbot Green

23/0417/13 Decision Date: 11/08/2023
Proposal: All matters reserved outline planning application for a single dwelling with associated parking spaces. (CMRA and revised plans received 12th May 2023. Further revised plans received 4th August 2023 and description of
Location: LAND BETWEEN SILVERDALE AND SCHOOL STREET, LLANTRISANT, PONT-Y-CLUN, CF

23/0652/10 Decision Date: 15/08/2023
Proposal: New 1800mm high bin store with lockable gates
Location: TALBOT ARMS PUBLIC HOUSE, 1-3 TALBOT ROAD, TALBOT GREEN, PONTYCLUN, CF72 8AD

23/0722/10 Decision Date: 17/08/2023
Proposal: Conversion of garage into living space with first floor extension built over existing garage. Extension of an existing terrace to the rear of the property.
Location: 16 PINWOOD HILL, TALBOT GREEN, PONTYCLUN, CF72 8JE

23/0848/01 Decision Date: 17/08/2023
Proposal: Erection of a retail concession pod and associated signage (advertisement consent)
Location: LAND SOUTH OF A473, TALBOT GREEN, COWBRIDGE ROAD, TALBOT GREEN, PONTYCLUN, CF72 8XU

23/0849/10 Decision Date: 17/08/2023
Proposal: Erection of a retail concession pod and associated signage
Location: LAND SOUTH OF A473, TALBOT GREEN, COWBRIDGE ROAD, TALBOT GREEN, PONTYCLUN, CF72 8XU

Llwyn-y-pia

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

Report for Development Control Planning Committee

07/08/2023 and 25/08/2023

Llwyn-y-pia

22/1479/13 Decision Date: 10/08/2023

Proposal: Split level detached dwelling (Outline).

Location: 32 AMELIA TERRACE, LLWYNYPIA, TONYPANDY, CF40 2HR

Mountain Ash

23/0275/10 Decision Date: 14/08/2023

Proposal: Proposed self storage compound on 982m2 of land at Cwm Cynon Business park. The area would be fenced and have a mixture of 20ft and 10ft shipping containers within the fenced area.

Location: LAND AT CWM CYNON BUSINESS PARK, NEW ROAD, MOUNTAIN ASH, CF45 4ER

23/0606/10 Decision Date: 09/08/2023

Proposal: Change of use from function room to 3 letting rooms

Location: THE NAPIERS HOTEL, 76 HIGH STREET, MOUNTAIN ASH, CF45 3LD

23/0783/10 Decision Date: 25/08/2023

Proposal: Demolish existing garage and construct new two storey side extension with new garage attached. Widen driveway.

Location: 6 CWM ALARCH, MOUNTAIN ASH, CF45 3DR

23/0841/10 Decision Date: 17/08/2023

Proposal: Proposed dropping of the Kerb to allow access to off road parking outside of house.

Location: 44 THE AVENUE, CEFNPENNAR, MOUNTAIN ASH, CF45 4DU

Pen-y-graig

23/0648/10 Decision Date: 17/08/2023

Proposal: The creation of a rear first floor flat roof extension, to form a bedroom and relocate the bathroom.

Location: 11 GEORGE STREET, PEN-Y-GRAIG, TONYPANDY, CF40 1QP

23/0723/10 Decision Date: 15/08/2023

Proposal: Double storey rear extension.

Location: 14 THOMAS STREET, PEN-Y-GRAIG, TONYPANDY, CF40 1EU

Pontyclun East

23/0507/10 Decision Date: 14/08/2023

Proposal: Extraction and ventilation system

Location: THE DYNEVOR ARMS COUNTRY PUB AND RESTAURANT, PETERSTON ROAD, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8NS

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

Report for Development Control Planning Committee

07/08/2023 and 25/08/2023

Pontyclun East

23/0627/10 Decision Date: 15/08/2023
Proposal: Side extension and roof enlargement of detached garage.

Location: 16 BRYN DEWI SANT, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8TJ

23/0665/01 Decision Date: 08/08/2023
Proposal: Erection of illuminated and non-illuminated signs to the exterior of the building.

Location: THE DYNEVOR ARMS COUNTRY PUB AND RESTAURANT, PETERSTON ROAD, GROES-FAEN, PONT-Y-CLUN, PONTYCLUN, CF72 8NS

23/0805/10 Decision Date: 22/08/2023
Proposal: Demolition of degraded existing garage building and rebuilding of new double garage replacement with small store to rear.

Location: YNYSGARW COTTAGE, PENDOYLAN ROAD, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8NF

Pontyclun West

23/0552/10 Decision Date: 08/08/2023
Proposal: Orangery to replace conservatory at the rear, side extension over ground floor with front dormer, rear balcony

Location: THE WILLOWS, COWBRIDGE ROAD, TALYGARN, PONT-Y-CLUN, PONTYCLUN, CF72 9JU

23/0784/10 Decision Date: 15/08/2023
Proposal: Rear single storey extension and elevated decking, rear dormer and new ground floor front entrance

Location: 36 DANYBRYN, BRYNSADLER, PONT-Y-CLUN, PONTYCLUN, CF72 9DH

Pontypridd Town

23/0566/10 Decision Date: 22/08/2023
Proposal: Change of use of former Osteopath Clinic (Planning Use Class D1) to a Bridal Wear Shop (Planning Use Class A1)

Location: GROUND FLOOR, 9 GELLIWASTAD ROAD, PONTYPRIDD, CF37 2BW

23/0730/15 Decision Date: 23/08/2023
Proposal: Variation of condition 5 of previously approved planning application 20/1180/10 to extend the opening hours of the Class A3 unit between 11:00 hours - 03:00 hours Monday to Sunday.

Location: 6 FRATERNAL PARADE, TAFF STREET, PONTYPRIDD, CF37 4UG

Tonyrefail West

23/0580/10 Decision Date: 07/08/2023
Proposal: Dropped Kerb to allow vehicle access onto the property with white line.

Location: 42 TYNBYRYN ROAD, TONYREFAIL, PORTH, CF39 8DA

Trallwng

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

Report for Development Control Planning Committee

07/08/2023 and 25/08/2023

Trallwng

23/0664/10 Decision Date: 10/08/2023
Proposal: Proposed first floor rear extension over existing ground floor rear extension
Location: 5B BONVILSTON ROAD, PONTYPRIDD, CF37 4RD

Trealaw

23/0539/10 Decision Date: 16/08/2023
Proposal: Two storey rear extension.
Location: 270 BRITHWEUNYDD ROAD, TREALAW, TONYPANDY, CF40 2NZ

Treforest

23/0663/10 Decision Date: 07/08/2023
Proposal: Proposed change of use from a Tattoo Studio (Sui Generis) to a Convenience Store (Use Class A1)
Location: 69 PARK STREET, TREForest, PONTYPRIDD, CF37 1SN

Treherbert

23/0857/10 Decision Date: 25/08/2023
Proposal: Proposed formation of patio and replacement of emergency exit stairs to the rear.
Location: 133 BUTE STREET, TREHERBERT, TREORCHY, CF42 5PD

Treorchy

23/0678/23 Decision Date: 09/08/2023
Proposal: Prior approval - improvements to existing platform, creation of new platform and construction of footbridge.
Location: YNYSWEN RAILWAY STATION, YNYSWEN ROAD, YNYS-WEN, TREHERBERT, TREORCHY, CF42 6EG

Tylorstown and Ynyshir

23/0614/10 Decision Date: 17/08/2023
Proposal: Garage
Location: REAR OF 9 UPPER TERRACE, STANLEYTOWN, FERNDALe, CF43 3EU

Upper Rhydfelen and Glyn-taf

23/0670/10 Decision Date: 10/08/2023
Proposal: Construction of single storey extension to form garage and workshop
Location: 60 MAES GANOL, RHYDYFELIN, PONTYPRIDD, CF37 5EQ

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

Report for Development Control Planning Committee

07/08/2023 and 25/08/2023

Ystrad

23/0587/10

Decision Date: 10/08/2023

Proposal:

Access ramp to front

Location:

MOUNT ZION PENTECOSTAL CHURCH, TYISAF ROAD, GELLI, PENTRE

Total Number of Delegated decisions is 47

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Report for Development Control Planning Committee

Aberdare East

23/0235/10

Decision Date: 25/08/2023

Proposal: Proposed new commercial Cattery with a Timber structure at rear of dwelling

Location: WOODHAVEN, 3 WERFA LANE, ABER-NANT, ABERDARE, CF44 0YS

Reason: 1 The proposal represents an incompatible and unneighbourly use, which, by reason of noise, unacceptable odours, and general disturbance, would be detrimental to the amenities of occupiers of neighbouring residential properties. As such, the proposal is contrary to Policies AW2, AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

Trallwng

23/0677/13

Decision Date: 23/08/2023

Proposal: 1 no. detached dwelling

Location: LAND LYING EAST OF 188 MERTHYR ROAD, PONTYPRIDD

Reason: 1 At the maximum scale, the proposed development by reason of its layout, scale and orientation to the neighbouring properties to the north west (on Merthyr Road), would result in overlooking and a loss of privacy, to the detriment of the level of residential amenity currently enjoyed by those occupiers. As such the proposal is considered to be contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

Reason: 2 Insufficient information has been provided to enable an accurate assessment of the impacts of the proposed development upon ecology, habitat and protected species at the site. As such, the scheme is contrary to the requirements of policy AW8 the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

Total Number of Delegated decisions is 2

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