



**CYNGOR BWRDEISTREF SIROL  
RHONDDA CYNON TAF  
COUNTY BOROUGH COUNCIL**

**GWŶS I GYFARFOD PWYLLGOR**

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

Dolen gyswilt: Jess Daniel - Swyddog Gwasanaethau Democrataidd ac Ymgysylltu  
(07385401877)

Bydd cyfarfod hybrid o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal ar **DYDD IAU, 5ED HYDREF, 2023** am **3.00 PM**.

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

MAE MODD I AELODAU NAD YDYN NHW'N AELODAU O'R PWYLLGOR AC AELODAU O'R CYHOEDD [OFYN I ANNERCH Y PWYLLGOR YN YSTOD Y CYFARFOD](#) SY'N YMWNEUD Â'R MATER SYDD WEDI'I NODI. RYDYN NI'N GOFYN EICH BOD CHI'N RHOI GWYBOD AM EICH BWRIAD I SIARAD DRWY E-BOSTIO [GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK](mailto:GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK) ERBYN 5PM AR DYDD MAWRTH, 3 HYDREF 2023, GAN NODI A FYDDWCH CHI'N SIARAD YN GYMRAEG NEU'N SAESNEG.

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

**AGENDA**

**Tudalennau**

**1. DATGAN BUDDIANT**

Derbyn datganiadau o fuddiannau personol gan Aelodau, yn unol â'r Cod Ymddygiad.

**Nodwch:**

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

**2. DEDDF HAWLIAU DYNOL 1998 A PHENDERFYNIADAU RHEOLI DATBLYGU**

Nodi y dylai Aelodau o'r Pwyllgor, wrth benderfynu materion rheoli

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

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

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

### **4. COFNODION 17.08.23**

Cadarnhau cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 17.08.23 yn rhai cywir.

5 - 10

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

### **5. CAIS RHIF: 23/0350**

Adeiladu garej ar wahân a man parcio preifat cysylltiedig (Derbyniwyd cynlluniau diwygiedig ar 07/07/23).

**TIR I'R GORLLEWIN O WILLOWS FARM, FFORDD Y RHIGOS, RHIGOS, ABERDÂR, CF44 9UD**

11 - 20

### **6. CAIS RHIF: 23/0514**

Datblygiad preswyl o 22 o fflatiau ag un a dwy ystafell wely, gyda gwaith tirlunio, gwaith trin ffiniau a man parcio cysylltiedig.

**SAFLE'R HEN GLWB CYMDEITHAS Y LLYNGES FRENHINOL, 233 STRYD Y LLYS, TONYPANDY, CF40 2RF**

21 - 42

### **7. CAIS RHIF: 23/0623**

Newid defnydd o siop (A1) i fwyty gyda chyfleusterau gwerthu bwyd poeth i'w fwyta oddi ar y safle (A3) gan gynnwys gosod fflw awyru ac offer echdynnu.

**123 CILGANT Y GWEUNDIR, BEDDAU**

43 - 52

### **8. CAIS RHIF: 23/0727**

Newid defnydd yr ardal o gymysgedd o ardd ac amaethyddiaeth i ardal ceffylau. Cynnig i newid lefel a deunydd y ddaear i ddarparu draenio

rhydd mewn cae hyfforddi ceffylau sydd i'w weld ar y cynlluniau.  
**FFERM PANTGLAS, CAE PANTGLAS, YNYSMAERDY, PONT-Y-CLUN, CF72 8GX**

53 - 66

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

**9. CAIS RHIF: 22/1261**

Newid defnydd i droi sied gwartheg yn uned breswyl. (Derbyniwyd Aseiad ac Arolygon Clwydo Ystlumod rhagarweiniol ar 17/8/22)

**GORLLEWIN CAERLAN, STRYD YR YSGOL, LLANTRISANT, PONT-Y-CLUN, CF72 8EN**

67 - 76

**ADRODDIAD ER GWYBODAETH**

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

Rhoi gwybod i Aelodau am y canlynol, ar gyfer y cyfnod 28/08/2023  
– 22/09/2023.

Penderfyniadau Cynllunio a Gorfodi – Apeliadau a Dderbyniwyd.  
Penderfyniadau Dirprwyedig – Ceisiadau wedi'u Cymeradwyo a'u Gwrthod gyda Rhesymau.  
Trosolwg o Achosion Gorfodi.  
Penderfyniadau Gorfodi Dirprwyedig.

77 - 94

**11. MATERION BRYS**

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

**Cyfarwyddwr Gwasanaeth y Gwasanaethau Democraidd a Chyfathrebu Cylchrediad: -**

**Aelodau o'r Pwyllgor Cynllunio a Datblygu:**

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

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

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

tudalen wag



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

Cofnodion o gyfarfod hybrid y Pwyllgor Cynllunio a Datblygu a gynhaliwyd Dydd Iau, 17 Awst 2023 am 3.00 pm

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

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

Y Cynghorydd S Rees (Cadeirydd)

Y Cynghorydd D Grehan    Y Cynghorydd S Emanuel  
Y Cynghorydd J Smith  
Y Cynghorydd R Williams

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

Y Cynghorydd J Bonetto    Y Cynghorydd M Powell  
Y Cynghorydd L A Tomkinson

### **Swyddogion oedd yn bresennol: -**

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

### **Y Cynghorwyr Bwrdeistref Sirol eraill oedd yn bresennol: -**

Y Cynghorydd S Bradwick    Y Cynghorydd H Gronow  
Y Cynghorydd C Lises    Y Cynghorydd D Wood  
Y Cynghorydd J Edwards    Y Cynghorydd J Elliott

#### **65 CROESO AC YMDDIHEURIADAU**

Daeth ymddiheuriadau am absenoldeb gan Gyngorwyr y Fwrdeistref Sirol A Dennis, G Hughes ac W Lewis.

#### **66 DATGAN BUDDIANT**

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

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

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

**68 DEDDF LLESIANT CENEDLAETHAU'R DYFODOL (CYMRU) 2015**

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

**69 COFNODION 20.07.23**

**PENDERFYNWYD** cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 20.07.23 yn rhai cywir.

**70 NEWID I DREFN YR AGENDA**

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

**71 CAIS RHIF: 22/1378**

**Amrywio Amod 1 o ganiatâd cynllunio rhif 15/1635/10 – ymestyn y terfyn amser ar gyfer cychwyn y gwaith datblygu am flwyddyn ychwanegol (Nodyn Gwybodaeth Draenio 10/02/23 Diwygiad 2 – 10/07/23, derbyniwyd 16/06/23). FFERM LLWYNCELYN, LÔN HAFOD, Y PORTH, CF39 9UE**

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor y siaradwyr cyhoeddus canlynol a gafodd bum munud **yr un** i annerch yr Aelodau ynglŷn â'r cynnig uchod:

- Mr Rob Griffiths (Asiant)
- Mr Philip Thomas (Gwrthwynebydd)
- Mr Steve Jones (Gwrthwynebydd)

Arferodd yr Asiant, Mr Rob Griffiths, yr hawl i ymateb i'r sylwadau a wnaed gan y gwrthwynebydd.

Siaradodd yr Aelod Lleol, Cynghorydd y Fwrdeistref Sirol J Edwards, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei phryderon ynglŷn â'r datblygiad arfaethedig.

Cyflwynodd Arweinydd y Garfan Ceisiadau Cynllunio y cais i'r Pwyllgor ac ar ôl trafod y cais, **PENDERFYNWYD** gohirio penderfynu ar y cais tan gyfarfod y

Pwyllgor Cynllunio a Datblygu yn y dyfodol er mwyn casglu rhagor o wybodaeth am ddraenio, y llwybr posibl ar gyfer ceblau a'r effaith posibl ar y domen, ac am ragor o wybodaeth am yr effaith weledol ar yr ardal leol.

**72 CAIS RHIF: 22/1272**

**Adeiladu a gweithredu hyd at 14 o dyrbinau gwynt a'r seilwaith cysylltiedig, gan gynnwys: gosod manau llawr caled gan gynnwys sylfeini ar gyfer y tyrbinau, llawr caled ar gyfer craen a man gosod a storio, gyda dyraniad o'r tir ar gyfer gwaith microleoli cysylltiedig (dewis lleoliad penodol ar gyfer tyrbinau gwynt); is-orsaf drydanol ac adeilad rheoli gyda cheblau trydan tanddaearol; llwybr mynediad newydd sy'n cysylltu â'r A472; traciau mynediad ar y safle gyda phiblinellau a chroesfannau cwrs dŵr; pwll/pyllau benthyg; mast ar gyfer anemomedr; caedle ar gyfer adeiladu a storio offer dros dro gyda manau gosod cysylltiedig ger mynedfa'r safle; ardal rheoli cynefin; a gwaith oddi ar y safle i hwyluso symud llwythi anghyffredin megis adeiladu manau gor-redeg ac addasiadau dros dro i gelfi stryd. TIR I'R GOGLEDD O SENGHENYDD, CAERFFILI A FYDD YN CAEL EI ADNABOD FEL PARC YNNI TWYN HYWEL**

Aelodau nad sy'n rhan o'r pwyllgor/Aelodau Lleol – siaradodd Cynghorwyr y Fwrdeistref Sirol C Lises, H Gronow a D Wood ynglŷn â'r cais a chyflwyno eu pryderon ynghylch y cynnig.

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi Adroddiad y Cyngor ar yr Effaith Leol i'r Pwyllgor ac ar ôl ei ystyried **PENDERFYNWYD** cymeradwyo'r Adroddiad ar yr Effaith Leol yn unol ag argymhelliad Cyfarwyddwr y Gwasanaeth Materion Ffyniant a Datblygu yn amodol ar lythyr adendwm yn amlinellu'r pryderon a godwyd gan yr Aelodau yn ystod y ddadl.

**73 CAIS RHIF: 23/0398**

**Newid defnydd o Dŷ Amlfeddiannaeth (defnydd C4) i Gartref Plant a gwaith cysylltiedig. (Cynllun Lleoliad Safle Diwygiedig wedi dod i law ar 08/06/2023) 37 STRYD ELISABETH, ABERDÂR, CF44 7LN**

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Ms L Hughson-Smith (Asiant). Cafodd hi bum munud i gyflwyno'r cais i'r Aelodau.

Siaradodd yr Aelod Lleol, Cyngorydd y Fwrdeistref Sirol S Bradwick, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei bryderon ynglŷn â'r datblygiad arfaethedig.

Darllenodd y Pennaeth Datblygu Mawr a Buddsoddi gynnwys llythyr 'hwyr' a gyflwynwyd gan Swyddog Cymorth Cymunedol yr Heddlu Lleol yn amlinellu pryderon ynghylch y gwaith datblygu arfaethedig.

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi ei gais i'r Pwyllgor ac, yn dilyn trafodaeth, penderfynodd yr Aelodau wrthod y cais uchod, yn groes i argymhelliad Cyfarwyddwr y Gwasanaeth Materion Ffyniant a Datblygu. Roedd hyn am fod yr Aelodau o'r farn y byddai'r datblygiad yn cael effaith andwyol o ran diffyg amwynder i breswylwyr a diffyg manau parcio i staff. O ganlyniad i hynny, cai'r mater ei ohirio tan y cyfarfod priodol nesaf o'r Pwyllgor Cynllunio a Datblygu

fel bod modd derbyn adroddiad gan y Cyfarwyddwr Gwasanaeth Materion Ffyniant a Datblygu, a gaiff ei lunio drwy ymgynghori â Chyfarwyddwr y Gwasanaethau Cyfreithiol yn ôl yr angen. Bydd yr adroddiad yn tynnu sylw at y cryfderau a'r gwendidau posibl sydd ynghlwm â dod i benderfyniad yn groes i argymhelliad Swyddog, neu unrhyw reswm arfaethedig neu reswm cynllunio dros ddod i benderfyniad o'r fath.

**74 CAIS RHIF: 23/0506**

**Dymchwel adeiladau presennol ac adeiladu cartref gofal preswyl arbenigol ag 16 ystafell wely (dosbarth defnydd cynllunio C2) a gwaith cysylltiedig. TIR Y TU ÔL I RIFAU 15 AC 16 FFORDD Y RHIGOS, HIRWAUN, ABERDÂR, CF44 9PS**

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Ms L Hughson-Smith (Asiant). Cafodd hi bum munud i gyflwyno'r cais i'r Aelodau.

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi y cais a gafodd ei gyflwyno'n wreiddiol i'r Pwyllgor ar 20 Gorffennaf 2023 pan benderfynodd yr Aelodau ohirio'r cais er mwyn caniatáu trafodaethau pellach rhwng Cyfarwyddwr y Gwasanaeth Materion Cynllunio a'r Ymgeisydd ynghylch manylion y cais (Cofnod rhif 47).

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi fanylion y cais diwygiedig i'r Pwyllgor. Ar ôl trafod y cais, PENDERFYNWYD cymeradwyo'r cais yn unol ag argymhelliad Cyfarwyddwr y Gwasanaeth Materion Ffyniant a Datblygu, yn amodol ar yr Amodau diwygiedig sydd wedi'u nodi yn yr adroddiad.

**75 CAIS RHIF: 22/0734**

**Estyniad i adeiladau ystafelloedd newid traddodiadol brics/bloc. (Arolwg Ystlumod ac Adar wedi dod i law ar 07/11/22) (Arolwg Gweithgaredd Ystlumod wedi dod i law ar 14/07/23) YSTAFELLOEDD NEWID PENYRENGLYN, STRYD BAGLAN, TREHERBERT, TREORCI, CF42 5AW**

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

**76 CAIS RHIF: 22/1321**

**Newid defnydd tŷ preswyl i fod yn gartref gofal i blant (C2) 41 HEOL Y COED, TREFFOREST, PONTYPRIDD, CF37 1RH**

Cyflwynodd y Pennaeth Datblygu Mawr a Buddsoddi ei gais i'r Pwyllgor ac, yn dilyn trafodaeth, penderfynodd yr Aelodau wrthod y cais uchod, yn groes i argymhelliad Cyfarwyddwr y Gwasanaeth Materion Ffyniant a Datblygu. Roedd hyn am fod yr Aelodau o'r farn bod diffyg gofod ar gyfer parcio ac amwynder, ac y byddai'r datblygiad yn cael effaith andwyol ar y gymuned leol.



O ganlyniad i hynny, cai'r mater ei ohirio tan y cyfarfod priodol nesaf o'r Pwyllgor Cynllunio a Datblygu fel bod modd derbyn adroddiad gan Gyfarwyddwr y Gwasanaeth Materion Ffyniant a Datblygu, a gaiff ei lunio drwy ymgynghori â Chyfarwyddwr y Gwasanaethau Cyfreithiol yn ôl yr angen. Bydd yr adroddiad yn tynnu sylw at y cryfderau a'r gwendidau posibl sydd ynghlwm â dod i benderfyniad yn groes i argymhelliad Swyddog, neu unrhyw reswm arfaethedig neu reswm cynllunio dros ddod i benderfyniad o'r fath.

**77 CAIS RHIF: 22/1433**

**Cynllun arfaethedig i adeiladu dwy annedd, maes parcio a gwaith cysylltiedig. TIR GWAG AR STRYD WILLIAM, YSTRAD, PENTRE**

Amlinellodd y Pennaeth Datblygu Mawr a Buddsoddi gynnwys llythyr 'hwyr' a dderbyniwyd gan Mr G Chappell, a oedd yn gwrthwynebu'r cais.

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

**78 CAIS RHIF: 22/1476**

**Cadw tirffurf a grëwyd gan tua 19,700m<sup>3</sup> o ddyddodion yn dilyn tirlithriad Tylorstown yn barhaol, creu llwybr troed newydd a fydd yn cynnwys dwy bont droed, gwaith draenio, gwaith tirlunio, mesurau lliniaru effaith ar gynefinoedd a'r amgylchedd a gwaith cysylltiedig. TIR GYFERBYN Â PHARC BUSNES MAES-Y-DERI, GLYNRHEDYNOG**

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

**79 CAIS RHIF: 22/1477**

**Cadw tua 740m<sup>3</sup> o ddyddodion yn barhaol o dirlithriad Tylorstown, gwaith tirlunio, mesurau lliniaru effaith ar gynefinoedd a'r amgylchedd a gwaith cysylltiedig. TIR I'R DE O HEOL YR ORSAF, GLYNRHEDYNOG**

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

**80 CAIS RHIF: 23/0433**

**Siop gwerthu coffi trwy ffenestr y car (Defnydd A1/A3 Cymysg) a gwaith cysylltiedig (Disgrifiad Diwygiedig a'r wybodaeth ddiweddaraf ar Ddosbarth Defnydd wedi dod i law ar 09/06/23) ASDA STORES LTD, FFORDD TIRWAUN, CWM-BACH, ABERDÂR, CF44 0AH**

(Noder: Ar yr adeg yma yn y cyfarfod, datganodd Gynghorydd y Fwrdeistref

Sirol J Elliott (Aelod nad sy'n rhan o'r pwyllgor/Aelod Lleol) fuddiant personol sy'n rhagfarnu yn ymwneud â'r cais.

"Rydw i'n byw yng Nghaeau Tirfounder sydd gerllaw'r datblygiad arfaethedig."

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

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

**81 CAIS RHIF: 23/0651**

**Gosod poster digidol LED wedi'i oleuo'n fewnol yn lle poster hysbysebu statig ôl-oleuedig. THEATR Y COLISEŴM, STRYD BRYN HYFRYD, TRECYNON, ABERDÂR, CF44 8NG**

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

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

**PENDERFYNODD** yr Aelodau dderbyn adroddiad Cyfarwyddwr y Gwasanaeth Materion Cynllunio mewn perthynas â'r Penderfyniadau Apeliadau Cynllunio a Gorfodi a ddaeth i law, Cymeradwyaethau Penderfyniadau a Gwrthodiadau Dirprwyedig gyda rhesymau, Trosolwg o Achosion Gorfodi a Phenderfyniadau Gorfodi Dirprwyedig ar gyfer y cyfnod 24/07/2023 – 04/08/2023.

**Daeth y cyfarfod i ben am 5.48 pm**

**Y Cynghorydd S Rees  
Cadeirydd.**

## PLANNING & DEVELOPMENT COMMITTEE

05 October 2023

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/0350/10 (EL)  
**APPLICANT:** Mr K Jarman  
**DEVELOPMENT:** Construction of detached garage building and associated private parking area (Amended plans received 07/07/23).  
**LOCATION:** LAND WEST OF WILLOWS FARM, RHIGOS ROAD, RHIGOS, ABERDARE, CF44 9UD  
**DATE REGISTERED:** 07/07/2023  
**ELECTORAL DIVISION:** Hirwaun, Penderyn and Rhigos

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**RECOMMENDATION:** Approve subject to conditions

**REASONS:** The application involves the construction of a modern commercial garage building, required in connection with the operation of an existing HGV operating centre. The building is acceptable in terms of its scale, design and appearance; impact on residential amenity and highway safety and therefore accords with relevant local and national planning policy.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

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

#### **APPLICATION DETAILS**

Full planning permission is sought for the construction of a detached garage building and associated private parking area on a parcel of land located to the west of Willows Farm, Rhigos Road, Rhigos.

The proposal involves the construction of one large building, measuring 30.0 metres in length and 12.0 metres in depth. The building would act as a garage for commercial vehicles, with access being achieved via three large vehicular access doors in the east elevation, addressing the service yard. A secondary pedestrian access door would also be formed in the same elevation. The building would have a ridge roof construction, extending to 7.0 metres at its ridge and 5.7 metres at its eaves. The building would be a steel portal frame construction, with elevations finished in colour coated steel cladding.

The building would be located toward the western boundary of the application site. The development would be served off an existing access (that serves the existing site) which connects with Rhigos Road to the south of the application site.

The agent has indicated that the proposal is intended as a modern replacement for the existing building, due to the fact it is no longer suitable for its purpose, being too small to accommodate larger vehicles. They have confirmed that the garage will be used primarily as overnight secure in door parking for the vehicles that they operate, following instances of damage caused and theft from the vehicles, whilst they have been parked overnight outside. The building will also be used to undertake any necessary repairs of vehicles when needed.

## **SITE APPRAISAL**

The application site is a commercial compound that is currently utilised as a vehicle storage yard and servicing depot for the haulage company, Kevin Jarman Transport. The site consists of a parcel of land measuring approximately 3700sqm located to the west of Willows Farm, Rhigos Road. The site lies at the southern periphery of Hirwaun Industrial Estate, with its south and western boundaries being bounded by Rhigos Road (A4061) and Fifth Avenue. The site currently consists of hard surface, used for vehicle storage/ parking. An existing commercial building/ garage is situated at the eastern extent of the site. An existing access is place, off Rhigos Road. A small number of residential properties are located to the east of the application site. With the land to the north being in use for commercial/ industrial use, forming part of Hirwaun Industrial Estate.

## **PLANNING HISTORY**

17/1207	Kevin Jarman Transport, Willows Farm Yard, Rhigos Road, Hirwaun,	New 2.4 metre high fence to boundary.	Granted	08/12/17
16/0145	Kevin Jarman Transport, Willows Farm Yard, Rhigos Road, Hirwaun,	Replacement of existing fence with new 2.4 metre high fence.	Granted	20/04/16
84/0346		Haulage contractors depot with ancillary fleet maintenance.	Granted	–

## **PUBLICITY**

The application was advertised by direct neighbour notifications and site notices. No representations have been received in response to the publicity.

## **CONSULTATION**

Highways and Transportation - no objections raised.

Land Reclamation & Drainage – no objections raised, condition suggested.

Public Health & Protection – no objections raised, conditions suggested.

Dwr Cymru – no objections raised, conditions suggested.

Natural Resources Wales – no objections raised

South Wales Fire and Rescue – no objections raised.

Countryside, Landscape and Ecology – no objections raised, condition relating to biodiversity enhancement in the form of bird boxes / bricks suggested.

Western Power Distribution – no objections raised, informative 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 4<sup>th</sup> 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 4<sup>th</sup> January 2016 will remain the LPD for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24<sup>th</sup> September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

Indicates that the site is outside settlement limits and is in an area allocated as a Strategic Waste Site.

CS9 – refers to waste management and allocates site for this purpose.

AW2 promotes development in sustainable locations.

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

AW6 sets out the criteria for new development in terms of design and place-making.

AW8 refers to the protection and enhancement of the natural environment.

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

NSA12 sets out the criteria for development within and adjacent to settlement boundaries in the Northern Strategy Area.

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

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

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

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

### **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues**

The application site lies outside settlement limits and in an area with a history of commercial activity, and that is also allocated for waste management purposes. The proposal seeks to develop a new industrial building on a parcel of land that is currently vacant, but is used as parking/ vehicle storage, in connection the existing commercial compound and servicing depot for the haulage company, Kevin Jarman Transport. As such, the key considerations in the determination of the planning application are the compatibility of the proposed building and uses with the established area, along with the potential impact upon the amenity of neighbouring occupiers. The impact of the proposals upon both the character of the area and highway safety are further considerations.

### Principle and amenity impacts

It is acknowledged that the site forms a parcel of land that is located outside the settlement limits, and that in most instances, development in unsustainable locations is resisted. However, in this case the application site is a parcel of land that forms part of a wider area, that is evidently in use for commercial/ industrial purposes. It is understood that the site, which is accessed off Rhigos Road, benefits from an historic planning consent dating back to 1984, to operate as a haulage contractors depot with ancillary fleet maintenance. It is also understood that the current operator (and named applicant) runs the site as a vehicle storage yard and servicing depot for their haulage company.

The application submission indicates that a modern garage building is required on the site as the existing structure is no longer suitable for its intended purpose, being large enough to accommodate only one vehicle. It is noted that the proposed garage building will be used to provide and overnight secure in door parking, along with being a space where any repairs and maintenance to the vehicles they operate may be undertaken. The applicant also comments that the building is required to prevent instances of damage caused and theft from the vehicles, which have occurred whilst they have been parked outside overnight.

Based on the planning history of the site, its allocation and its position in relation to the established Hirwaun Industrial Estate, in this case, it is considered that the principle of a new building on the site, to enable the continued operation and expansion of the business is acceptable, subject to an assessment of the following criteria;

- The impact of the proposed development upon the character and appearance of the building surrounding area
- The impact of the development on the residential amenities of neighbouring properties.
- The impact of the proposal on highway safety.

### Character and Appearance

As set out above, the proposed building would be located on a parcel of land that is situated on the junction of Rhigos Road and Fifth Avenue. The proposed building would be situated toward the western extent of the site, it is considered that this configuration presents a logical layout for the site, presenting an opportunity to retain a large open surface parking area to the front of the proposed garage building. As a result of its siting, close to the junction of two roads, it is inevitable that the building would form a visible feature in the street scene. Furthermore, with a footprint of approximately, 360sqm it is acknowledged that the building would be large construction, however, given its position at the periphery of the industrial estate, it is not considered that the structure would be out of keeping with the scale, style or character of buildings in the vicinity of the site. It is also noted that the use of a fairly shallow pitch to the roof has enabled a reduction in the overall height of the building (to 7.0 metres), thereby limiting its prominence.

The building itself would be an uncomplicated steel frame construction clad in colour coated steel profile cladding, with the design and appearance being dictated primarily by the functional requirements. Notwithstanding this, it would be comparable in terms of its overall scale, proportions and appearance to existing commercial units located on the wider industrial estate. Overall, it is not considered that the resulting development would appear either harmful to or out of keeping with the character of the immediate site of its wider setting and therefore accords with policy AW5 of the Local Development Plan.

### Amenity

It is acknowledged that whilst the land to the north is primarily in use for commercial purposes, a number of residential properties are located to the east of the application site. Whilst it is acknowledged that the proposal would be partially visible from the closest of these properties, the building itself would be off set by a distance of approximately 80 metres. Consideration must also be given to the fact that the site already operates as a haulage yard, and that the proposed building is required in connection with the existing business. As such, it is considered that residents in the vicinity of the site, would be accustomed to 'comings and goings' and the associated activities at both this site and those on the neighbouring industrial estate (located to the north).

As such, it is not considered that the development and operation of the building proposed, would cause undue disturbance or adversely affect the levels of amenity that the closest occupiers of residential properties currently enjoy, to such a point that would warrant the refusal of the planning application.

### Highway Safety

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



In terms of access, it is noted that the applicant proposes to utilise the existing access off Rhigos Road. In support of the application, they have submitted a swept path analysis of the largest anticipated vehicle to use the access, which shows that the access is suitable for the proposed use, which is considered acceptable. It is commented that the applicant has also submitted an amended red line boundary plan, to include the shared access, which is considered acceptable.

In terms of parking, the existing area is used as a storage area for large vehicles. The applicant states that no additional vehicles will be travelling to and from the site and that the proposed garage is required to maintain the current fleet of vehicles. Taking into consideration that there is ample space for vehicles to park off-street internally, along with parking bays within the proposed garage on-balance, the proposal is considered acceptable in this regard.

To conclude, taking into consideration that the proposed garage building will be used in connection with the existing use, of the storage of large vehicles and that there is ample space internally, for off-street parking and for the turning of vehicles, the proposed is considered acceptable and in accordance with policy AW5 of the Local Development Plan. As such, it is not considered that the proposal would result in an adverse impact upon highway safety in the vicinity of the site, and the observations of the Council's Transportation Section conclude by raising no objections to the scheme.

### Contamination

It is noted that consultation with the Council's Public Health and Protection Section has revealed that the application site (and parts of the wider industrial estate) occupies land formerly occupied by an Ordnance Factory. As such, they consider that there is potential for contamination to exist on site. Notwithstanding this, no objections are raised to the application, as it is considered that any potential issues arising from possible contamination at the site could be mitigated. As such, if Members are minded to approve planning permission, then a condition is suggested, which would require the developer to undertake site investigations assessment, prior to commencement of development and if necessary, undertake remediation of any contamination identified.

### Ecology and Protected Sites

As the application site is located within 450m of Blaen Cynon Special Area of Conservation (SAC), consultation has also been undertaken with Natural Resources Wales. Having assessed the scheme, their observations conclude that NRW consider that the proposal is not likely to have a significant effect on the SAC, as there are no potential pathways to the protected site.

Similarly, whilst they note that the application site is within 450m of Cors Bryn-y-Gaer Site of Special Scientific Interest (SSSI), based on the information submitted, they consider that the proposed development is also not likely to damage the features for which Cors Bryn-y-Gaer SSSI, is of special interest.

As such, Natural Resources Wales conclude by raising no objections to the application. Similarly, given that the site itself has little ecological value, being hard surface that is already in use for the parking of commercial vehicles, the Council's Ecologist has also raised no objections to the application. They have however, recommended the use of a condition which would require biodiversity enhancement, in the form of the incorporation of bird boxes in the construction. As such, it is considered that the proposal accords with the requirements of policy AW8 of the Local Development Plan.

## **COMMUNITY INFRASTRUCTURE LEVY (CIL) LIABILITY**

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

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

## **CONCLUSION**

The proposal represents the construction of modern garage building, which is required in connection with an existing commercial business to provide secure storage/parking and repair space. The site is located on an established industrial estate, where a range of commercial uses already operate. Whilst it is acknowledged that some residential properties are located in vicinity of the site, given the relationship between these and the site, and the existing established character of the area; it is not considered that any impacts resulting from the operation of the garage would unacceptably affect the amenities of these occupiers. Furthermore, it is not considered that the scale, proportions and appearance of the building would be out of keeping with, or harmful to the character of the site and its wider setting; and the proposal is also considered acceptable in highway safety terms. Therefore, the proposal is recommended for approval, subject to the conditions specified below.

## **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 approved plan(s) no(s)
  - Drawing no. 938.01 Proposed Elevations
  - Drawing no. 938.02 Proposed Elevations

- Drawing no. 938.03 Proposed Plans
- Drawing no. 938.04 Proposed Section
- Drawing no. 938.05 Block Plan
- Drawing no. 938.06 Site Location Plan

and documents received by the Local Planning Authority on 18/04/23 and 07/07/23 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The building shall not be brought into beneficial use until the drainage works have been completed in accordance with the approved plans.

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

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

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

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

5. The building, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 4) have been implemented

and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority

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

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

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

7. Prior to commencement of development, details of bird nesting boxes shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the exact location, specification and design of the nesting boxes. The nesting boxes shall be provided in accordance with the details so approved, installed prior to the first occupation of the building and shall be maintained as such thereafter.

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

## PLANNING & DEVELOPMENT COMMITTEE

05 October 2023

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/0514/10 (GH)  
**APPLICANT:** MADE Architecture  
**DEVELOPMENT:** Residential development of 22 x one and two-bedroom apartments, with associated landscaping, boundary treatment and parking  
**LOCATION:** SITE OF FORMER ROYAL NAVAL ASSOCIATION CLUB, 233 COURT STREET, TONYPANDY, CF40 2RF  
**DATE REGISTERED:** 05/07/2023  
**ELECTORAL DIVISION:** Tonypandy

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**RECOMMENDATION:** GRANT SUBJECT TO THE CONDITIONS BELOW

**REASONS:** The application site occupies a highly sustainable location where both PPW11 and FW2040 support the principle of growth and where the LDP presumes in favour of residential development.

The proposed market apartments would be an appropriate land use, given the surrounding residential development; would regenerate a long vacant brownfield site in a prominent position and would contribute to the variety of the local housing mix.

The development is therefore considered to align with the relevant policies of the Local Development Plan, would be acceptable in respect of its visual impact and any impact upon the amenity and privacy of the neighbouring residential properties, and would not be harmful to highway safety.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

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

#### **APPLICATION DETAILS**

Full planning consent is sought for the construction of 22 x one and two bedroom apartments at 233 Court Street, Tonypandy, perhaps better known as the site of the former Royal Naval Club.

It is proposed that the accommodation would be arranged over six floors to include the following:

*Basement* - thirteen parking spaces, bin store, cycle store, plant room and vehicular entrance to the undercroft car park.

*Ground floor* - 2 x one-bed and 3 x two-bed flats, landscaping, cycle store and main pedestrian entrances from Court Street.

*First floor* - 3 x one-bed and 2 x two-bed flats.

*Second floor* - 3 x one-bed and 2 x two-bed flats.

*Third floor* - 3 x one-bed and 2 x two-bed flats.

*Fourth floor* - 2 x one-bed flats (the fourth floor is stepped so these flats are on the higher northern side of the building only).

Although appearing as one single mass, the internal layout shows that the above ground part of the development would effectively operate as two separate, but physically joined buildings, each with separate entrances, their own staircase and lift.

The size of the flats varies between 42m<sup>2</sup> and 70m<sup>2</sup>, twelve of which would have external space or balcony provision. All habitable rooms would have windows, though the scope of available natural light would vary considerably between flats.

With regard to external finishes, these are proposed to incorporate a mixed palette of materials, including beige face-brickwork, anthracite cladding, dark grey framed fenestration, stone window heads, perforated brick detail and tinted glazing.

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

- Pre-Application Report (PAC)
- Preliminary Ecological Appraisal
- Coal Mining Risk Assessment
- Design and Access Statement
- Transport Statement
- Supporting Statement
- Tree Survey / Arboricultural Report
- Acoustic Report
- Flood Consequences Assessment
- Development Viability Report

## **SITE APPRAISAL**

The application property is a piece of unallocated land located to the south-west of the centre of Tonypany. The site comprises a surface area of approximately 0.07 hectares and there is a significant fall in level from west to east.

Formerly occupied by the Royal Naval Association Club, its disused buildings were gutted by fire in 2005 and were subsequently demolished. The site is now vacant and

unallocated for any specific use. The land and remains of the Club's foundations and retaining walls are overgrown with vegetation.

The surrounding properties are primarily residential in nature, with typical Victorian terraced houses located further along Court Street and at Chapel Street to the south. However, directly to the north-east of the site there is a five storey block of flats known as Mitchell Court, which is of a mid-20th century construction.

This site is both within the defined settlement boundary and part of a Registered Landscape of Outstanding Historic Interest in Wales. It is both very close to the town's designated retail centre area and a short distance from the bus station.

The site falls within land designated as low risk to development from coal mining and is not subject to river or surface water flooding.

## **PLANNING HISTORY**

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

- 22/5088/41:** Pre-application Advice for 22 Apartments, parking communal gardens. Decision: 13/09/2022, Raise Objections.
- 17/1096/13:** Outline application for a proposed residential development comprising 12 no. apartments. Decision: 24/07/2019, Grant.
- 17/5058/41:** Pre-application Advice for three storey high building comprising 15 No. apartments and relevant amenities. Decision: 20/07/2017, Raise Objections.
- 12/1020/13:** Outline application with all matters reserved for 19 bed care home for elderly comprising of three storey building (amended description and amended plans received 07/03/13). Decision: 03/07/2013, Grant.
- 07/0375/13:** Proposed residential development (outline). Decision: 27/04/2007, Grant.
- 06/2404/13:** Construction of three storey building containing nine small flats. Undercroft parking area (Outline). No decision: Withdrawn by Applicant, 07/03/2007.

## **PUBLICITY**

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

Furthermore, in accordance with the Development Management Procedure Order (Wales) the relevant press notice was published on 11th July 2023 identifying that the proposal constitutes Major Development.

Four letters of objection or representation have been received, on behalf of five residents, raising the following matters:

#### Amenity

- Impact of privacy through overlooking.
- Balconies on the back of the building will overlook neighbouring gardens.
- Block sun and natural light.
- Restriction of views.
- Air pollution during construction – a family member of an objector has a severe dust allergy.

#### Parking

- Inadequate car parking provision.
- Underground parking may attract antisocial behaviour.
- Already an issue with unmet on-street parking demand.

#### Biodiversity/Environment

- There is a lot of wildlife on the site and developing the land may disturb a lot of rats.
- How will the development deliver a net biodiversity gain?

#### Appearance/Street Scene

- Tonypandy is being taken over by flats.
- The development is out of character with the area. It would be better suited to Cardiff Bay as Tonypandy is not an affluent suburb of a large city.

#### Other

- Concerns over future occupiers; cheaply rented flats may attract people not of good character, where there is already a high crime rate in the area.

### **CONSULTATION**

#### Highways and Transportation

No objection, subject to a number of conditions and informative notes.

#### Flood Risk Management

No objection. A condition is recommended in respect of surface water management.

#### Public Health and Protection

Conditions relating to construction noise, dust, waste, lighting and hours of operation are recommended.



### Natural Resources Wales

No objection.

### Dwr Cymru Welsh Water

Foul flows from the proposed development can be accommodated within the public sewerage system and capacity is available in the water supply system to accommodate the development.

### National Grid

Advises that a new connection or service alteration will require a separate application to National Grid.

### South Wales Fire and Rescue Service

The Fire Authority has no objection to the proposed development and has provided standard guidance for the benefit of the developer.

### Countryside Section – Ecologist

No objection, subject to a condition to secure the recommendations within the Preliminary Ecological Appraisal.

### South Wales Police

No objection and although the site will be privately owned/managed there no reason why the developer should not strive to achieve the Secured By Design Gold Award.

A list of recommendations, in respect of designing out crime, have been submitted for forwarding to the developer including the insertion of a gate at the pedestrian entrance and the specification of the external communal entrances.

It is noted that SW Police discussed the proposal with the Applicant's Agent during the pre-application stage.

### Waste and Recycling

The bin collection point should be at the kerbside.

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

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015

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

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

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

**Policy CS4** - Housing requirements: sets out the housing requirement figure for the plan period.

**Policy AW1** – Concerns the supply of new housing within the Borough. It stipulates that the supply will be met by the development of unallocated land within the defined settlement boundaries of the Principal Towns, Key Settlements and Smaller Settlements.

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

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

**Policy AW4** - Outlines that planning obligations may be sought to make the proposed development acceptable in land use planning terms and identifies a range of purposes for which contributions would be sought.

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

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

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

**Policy AW10** - Development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding, pollution, noise, contamination, land stability or any other identified risk to local amenity and public health.

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

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

**Policy NSA11** - affordable housing contributions will be sought on sites of ten units or more.

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

### **Supplementary Planning Guidance**

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

### **National Guidance**

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

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

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

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

- Policy 1 – Where Wales will grow – Employment / Housing / Infrastructure

- Policy 2 – Shaping Urban Growth – Sustainability / Placemaking
- 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 national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 11: Noise

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 15: Development and Flood Risk

PPW Technical Advice Note 18: Transport

PPW Technical Advice Note 19: Telecommunications

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 development would comply with Local Development Plan Policy CS1 which supports proposals that promote the re-use of vacant land and buildings and where development can be evidenced to support the roles of Key Settlements.

In this case, Policy NSA2 identifies Tonypanydy as a Key Settlement and like Planning Policy Wales 11 and per the National Sustainable Placemaking Outcomes, the Policy is also supportive of developments that re-use previously developed land and buildings. The buildings which once occupied the site, latterly fire-damaged, were demolished eighteen years ago and even then, had been vacant for approximately ten years prior to that.

Policy AW1 recognises that the supply of new housing will be met, in part, by residential development on unallocated land within the settlement boundary, i.e., 'windfall sites', where high quality affordable accommodation is provided.

The location of the site, which is within the settlement boundary, benefits from good access to sustainable transport options and to the key services and facilities which

can be found in the nearby retail centre. The development would also be compatible with the surrounding residential land uses.

Therefore, in the absence of any environmental constraints, it is considered that the former club site would be a sustainable location in accordance with the relevant criteria of Policy AW2.

Policy NSA12 seeks that residential development does not have an adverse effect on the provision of car parking in the surrounding area. Similarly, Policy AW5 requires development proposals to comply with the car parking provision set out in the Council's SPG. The plans include limited off-street parking spaces and any concerns in this regard are considered further below.

Lastly, the density of the development would far exceed that required by Policy NSA10. However, Policy AW4 establishes that planning obligations may be necessary to make a development acceptable in land use planning terms, and Policy NSA11 stipulates that an affordable housing contribution would be expected, either on-site, off-site or via a financial contribution. Noting the submitted Viability Report, this matter is also considered further below.

Consequently, as the planning history for the site demonstrates, residential development is considered to be appropriate in principle, since it meets the definition of a sustainable location where new housing would support the Key Settlement of Tonypanyd, and it would make good use of previously developed and derelict land.

### **Impact on the character and appearance of the area**

Although the land previously accommodated a large scale split-level building, the fact that its remains were levelled in 2005 means that it has comprised just slab and some retaining features which have been overgrown with scrub for the best part of eighteen years.

This means that any redevelopment of the site, because of its prominent position on a bend at Court Street, is likely to have significant impact on the street scene, particularly looking towards the site from the east, where the change in ground level from west to east is most pronounced.

In this regard, Members will have noted the photographs of the former Club which have been included in the presentation for reference, courtesy of RCT's digital archives. It is apparent that the eastern facing elevation was rather edifice-like, compared with the side elevation, which underlines the point that this is where the size of any new building is likely to be most evident.

Following discussions with the Agent, regarding concerns about the appearance of the new retaining wall around the eastern side of the site - given its height and length - an additional drawing was received. It is now proposed to create a green wall, which should result in a considerable softening of that elevation.

Conversely, in respect of the existing engineered level change between the site and the neighbouring property to the west, no.232 Court Street, the mass of a new building,

like that now proposed, would be somewhat mitigated and absorbed by the rising ground around it, which means it would appear to be set into the bank.

The previously approved outline scheme for 12 apartments, ref.: 17/1096/13, was determined by Committee Members in 2019 and was subject to scale parameters. One of these parameters specified a maximum height of 14.5m, i.e., approximately 50cm lower than the top of Mitchell Court.

By comparison, the current scheme on its eastern side would be approximately 60cm taller than Mitchell Court but on its western side, where there would be a part fourth floor, would be around 1m lower than the ridge of the two storey-house at no. 232 Court Street. In height terms, therefore, the current proposal would not be of much greater height than the previous outline consent.

In terms of the design and appearance of the development a couple of comments submitted by objectors suggest that it would appear incongruous and that there are already too many flats in Tonypany.

However, notwithstanding a previous point – that any redevelopment of the site will cause a marked change to the street scene – the proposal should be considered alongside the context of the surrounding built environment. The area around Pandy Square and to the west has been something of a transition zone between the town centre and the surrounding residential development, sharing some characteristics of both.

For example, in the last 100 years the area has accommodated several larger scale buildings, including the Tonypany Conservative Club, RCT offices, Pandy Inn, Pavilion Ice Rink and Royal Naval Club. The last remaining terraced houses were replaced by Mitchell Court at some point in the mid-20th century. The construction of another large building would not, therefore, be considered to result in an out-of-character development.

Furthermore, since the site would need further clearance of redundant structures, substantial retaining and engineering works, and will need to provide a return to the developer, it would not be reasonable to expect a low-level or low-density scheme to come forward at this location. For the same reason, any future redevelopment scheme for Mitchell Court is likely to be of a similar scale.

Consequently, taking the above into account, it is considered that the proposed development would not have a harmful impact on the character and appearance of the surrounding area and would result in the remediation of a vacant and derelict site.

### **Impact on neighbouring occupiers and future residents**

#### *Existing residents*

The development has been considered in terms of potential impact upon existing neighbours regarding privacy, overshadowing and outlook.

Although the application has been widely publicised, the four letters of objection for a major development is relatively low and given the central location of the site and proximity to other dwellings, might be considered surprising.

Firstly, the large block of flats to the north of the site, Mitchell Court, is being depopulated and most residents have already been rehoused. It is understood that this process is nearly complete and proposals will likely come forward for its demolition and residential redevelopment in due course.

Secondly, in respect of the neighbouring properties along Court Street to the west, the great fall in level towards the application site means that the tallest fourth floor part of the development would still be lower than the ridge line of no.232 Court Street, which is the closest dwelling to the site boundary. This arrangement can be seen on drawing 'Proposed Elevation A'.

Whilst the side elevation of the flats might result in some early morning shading of no.232's garden, this relationship would be little more significant than that caused by having two two-storey houses next door to one another.

In addition, no outward facing windows are proposed to the western side or north-facing rear elevations so there are no concerns relating to overlooking of neighbouring properties; and in terms of the other dwellings at Zion Terrace, these are not in a direct line of sight of the application site and occupy a higher ground level.

Thirdly, the position of the properties on the opposite southern side of Court Street is noted, specifically those at Court Place and Chapel Street.

The linear arrangement of these terraced rows to the site and Court Street is an almost perpendicular relationship, where they are generally set lower in the ground than the highway surface and either tend to face towards each other or are back to back.

This arrangement, the topographical context and the position of windows in the main elevations of dwellings at Court Place and Chapel Street suggests that the impact on outlook would not be a detrimental one.

Likewise, although there are some windows within those dwellings such as those in the side elevation of an off-shot or within principal elevations on the lower part of Chapel Street, the affected ones would be few in number and most views would be very skewed.

There could also be views from the new flats towards the yards and gardens opposite, though again it would only be the closest properties which would be affected and those gardens are either overlooked by existing neighbouring houses or can be seen into from the pavement along Court Street, which as mentioned above, is at a higher level.

Therefore, although the development would not be without some amenity impact, given the context of the site and the small number of properties involved, this would not be considered to be unacceptable.

*Future residents*

The Council's SPG for the Development of Flats includes a variety of criteria to guide decision makers about whether a development is acceptable.

Although space and accommodation standards, such as those within the Welsh Government's WDQR publications, do not apply to market dwellings, in this case the majority of the flats within the new building would be largely compliant and all habitable rooms would benefit from windows.

It is perhaps also worth noting that some past applications and appeal decisions arising from them have also tended to indicate PEDW's view that the living conditions of future residents of flats is less of a concern for market housing than it would be for social housing.

However, the floor plans of the development show that the majority of the flats would have access to balconies or external space, which is supported by the SPG and is beneficial for well-being. In addition, the site is well located and convenient for the town centre and there are outdoor recreation facilities located a short distance to the south-west at King George's Park.

#### *Construction period*

As with all development sites the undertaking of any construction or demolition works is likely to cause a degree of noise and disturbance to existing neighbouring residents, although this is not a matter which could reasonably justify a recommendation of refusal since it is a short-term impact.

Nevertheless, one resident has highlighted a concern about a relative with a dust allergy and it is recognised that working from home has become more widespread. The consultation response from Public Health colleagues also noted concerns relating to construction noise and dust, suggesting that mitigation by way of dust suppression measures and acoustic screening, plant silencing etc. could be appropriate.

In order to address those concerns the standard Construction Method Statement condition, recommended in the list of conditions below, has been expanded to require the submission of detail for approval relating to the control of dust, noise and lighting.

In addition, it is acknowledged that existing public health powers, conferred by the Environmental Protection Act 1990 and relating to statutory nuisance, may be a more effective and speedier way of dealing with any issues, rather than being reliant on the enforcement of planning conditions.

In light of the above and in terms of the impact on the amenity and privacy of existing and future residents, the application is considered to be acceptable.

#### **Access and highway safety**

##### *Location*



The streets in close proximity to the site have parking restrictions (double yellow lines) on both lanes of the carriageway preventing on-street car parking taking place. There are a number of public car parks in close proximity to the proposed site.

### *Parking*

The Council's SPG for Access, Circulation & Parking identifies the development would require a total of 31 off-street spaces for residents and 4 spaces for visitors, whereas 13 spaces are proposed.

The proposed development is well below the maximum parking standards despite its sustainable location. In addition, there are parking restrictions in place preventing on-street car parking due to the high demand within the residential streets adjacent to the town centre.

Therefore, there is some concern that the development would add to existing parking pressures.

However, an assessment regarding existing car ownership has been undertaken, where car ownership statistics have been obtained from Census data for the Tonypany Ward, for which the site is situated within.

The assessment demonstrates that based on average car ownership, a total of 6 car parking spaces could be expected to be required for the development in 2023 and 7 car parking spaces required by 2028.

On this basis the development proposals constitute an over-provision of off-street parking and demonstrate that the proposed parking provision is suitable to accommodate the likely future demand of residents.

The assumption that the development would require only 7 spaces in 2028 seems low taking into account experience of similar developments within town centres. However, the Highway Authority contends that the 13 spaces proposed are acceptable due to the sustainable location of the proposed development.

### *Electric Charging Provision*

The Council provides guidance on residential charging facilities within its Electric Vehicle Charging Strategy 2021-2030 which states that "all new residential properties with off street parking will be required to be "EV Ready"". Therefore, each parking bay should be installed with the ability to provide electric vehicle charging capability in the future which is acceptable.

### *Cycle Parking*

The proposed development would provide secure cycle storage for 26 cycles which is in excess of that required in the Council's SPG. This helps to mitigate the impact of off-street car parking provision and will help promote sustainable modes of transport other than the private motor vehicle.

### *Mitchell Court Access*

The development would result in an increase of vehicular movement by all types of vehicle to and from Mitchell Court out onto Court Street. The visibility splay to the right of the site is obstructed by the high boundary walls.

Vision to the right leading out onto Court Street is 2.4m x 18m, whereas that to the left is 2.4m x 69m. To address this concern, a condition has been suggested for 2.4m x 22m vision splays to be provided from the road junction between Mitchell Court and Court Street.

### *Pedestrian Access*

The 1.2m wide footway leading to the parking area (Mitchell Court Access Road) is sub-standard in width, which is of concern to the Highway Authority. However, given that this relates to a short distance, the shortfall is, on balance, acceptable.

### *Bin Store*

It is noted that the bin store doors currently open out onto land within the ownership of the applicant. However, the Applicant should consider widening the footway at this location to 2m which would enable the bin store doors to open inwards, which would be better for pedestrian safety.

### *Sustainability*

The application site is located within the town centre of Tonypany which offers a variety of local facilities with both bus and rail stops within easy walking distance, which will help to promote sustainable modes of travel with less reliance on the private motor vehicle.

### *Summary*

There is concern that the development would provide for only 13 off-street car parking spaces which is below the maximum standard set out in the SPG for Access, Circulation & Parking. However, taking into account the sustainable location and that residents of flats are less likely to own a motor vehicle than those occupying other types of dwelling, this would not warrant a highway objection.

## **Ecology and environment**

The Council's Ecologist has reviewed the May 2023 Acer Ecology Preliminary Ecological Appraisal submitted with the application.

The Appraisal states that the site primarily consists of dense scrub dominated by Buddleia with some small patches of semi-improved grassland. There are mature trees identified including a mature willow, silver birch and a cherry tree outside the site boundary but with limbs crossing onto the site.

The trees have been assessed for their suitability to support bats and were found to have low suitability for roosting bats. In line with the Bat Conservation Trust Guidelines, trees with low suitability do not require further survey work and the report has identified measures to minimise risk to bats including the pruning of T1 and soft felling of T2 and T3.

A stone wall on site was also assessed for bat potential and whilst assessed to have low roosting potential, a detailed inspection of the wall found no evidence of use by bats and therefore further surveys were not necessary in accordance with the Bat Conservation Trust Guidelines, however precautionary measures for the removal of the stone wall are detailed in Section 4 of the report. The report has also recommended precautionary measures for nesting birds, reptiles and hedgehogs.

The Ecologist advises that the site assessment is appropriate and recommends a condition to capture all of the recommendations set out in Section 4 of the Appraisal.

The Consultation response from NRW notes that protected sites have been considered that are within 2km of the application property. In this case, there is only one site within this radius - Craig Pont Rhondda SSSI.

Craig Pont Rhondda SSSI lies 680m from and at a 35m higher elevation than the proposed development site. In this instance, the only potential impacts from the proposed development would be from airborne and waterborne pollution during the construction phase.

Nevertheless, NRW considers that waterborne pollution is negated by the topography of the area and that it is unlikely any airborne dust will reach the SSSI due to the distance, topography and surrounding residential properties. Therefore, the proposed development is unlikely to have an adverse impact on the designated features of Craig Pont Rhondda SSSI.

NRW has also requested that the Preliminary Ecological Appraisal is included in the list of approved plans and documents condition on any decision notice, to ensure the precautionary measures in relation to bats are implemented. However, since a separate condition is proposed, per the Council's Ecologist's advice, this would not be necessary.

## **Flood Risk**

It is noted that the development will require a separate application to be made to the Sustainable Drainage Systems (SuDS) Approval Body (SAB) and will have to comply with Part H of the Building Regulations. The Council's Flood Risk Management Team has reviewed the site surface water risk, using Natural Resources Wales' flood risk maps.

Although the site does not fall within an area of surface water flood risk, there is a high, medium and low surface water flood risk identified downstream of the site; particularly along Chapel Street, conveying down Court Street, across Llwynypia Road and eastward onto Church Street. The Applicant will need to demonstrate flood risk is not increased downstream.

The Applicant has outlined that surface water will be disposed of via SuDS in the application form however has not provided any relevant surface water drainage proposals for review. To ensure surface water is appropriately managed, the Lead Local Flood Authority will need to be provided with further information as to how surface water will be managed and disposed of at the site.

In order to address matters relating to flood risk and surface water drainage, a condition has been recommended for the submission of details and has been incorporated in those proposed below.

### **Other matters**

In addition to the issues raised by objectors, relating to parking, environment and amenity, which have been considered in the preceding sections, concerns relating to the potential occupiers and the impact of the development on property values were also raised.

Nonetheless, the tenure of the proposed apartments, whether privately owned or socially rented is not a material planning matter. This is also the case for the nature of future residents and since the development would fall within the scope of Use Class C3, this would be the same residential land use as most of the surrounding residential development.

Furthermore, while concerns relating to the development and property values are acknowledged, this is also a matter not germane to the determination of the application.

### **National Sustainable Placemaking Outcomes**

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

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

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

Therefore, in addition to consideration of the placemaking merits of the scheme within the sections of the report further above, the proposed development is considered to relate in particular to the following aspects of the national sustainable placemaking outcomes:

- **Creating and Sustaining Communities:** The development density is appropriate for this edge of centre location and as a social housing scheme would contribute

to the housing requirement within the Northern Strategy Area as set out within the LDP.

- **Making Best Use of Resources:** The development accords with the local and national policy aims to prioritise the use of previously developed land and buildings.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs and would create footfall for local shops, services and transport links.
- **Maximising Environmental Protection:** The development would be subject to a condition for biodiversity enhancement measures as per the recommendations of the PEA. In addition, the development of a brownfield site is preferable to meet housing demand than a greenfield location.
- **Facilitating Accessible and Healthy Environments:** The application site is in a very sustainable location, being close to a bus route, railway station and services and facilities located within walking distance in Tonypanyd town centre. It would therefore not be car dependent.

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

### **Community Infrastructure Levy (CIL) Liability**

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

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

### **Section 106 Contributions / Planning Obligations**

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

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

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

Welsh Office Circular 13/97 Planning Obligations provides procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be

used where it is not possible to address unacceptable impacts through a planning condition and when it meets the three tests above.

Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is only intended to form the basis of negotiations between all parties.

### **The Section 106 requirements in this case**

In this case the proposed development would provide twenty-two market apartments and LDP Policy AW4 outlines where planning obligations may be sought. Policy NSA11 specifies that at least 10% affordable housing provision would be required for sites of ten units or more, which could take the form of on-site or off-site provision, or a financial contribution.

Therefore, a S106 agreement would be required to secure such a planning obligation and this was highlighted in the pre-application response previously provided to the Applicant, ref.: 22/5088/41.

However, Members will have noted and had sight of the Viability Report which has accompanied this application and which explains why the development could not afford to make a contribution.

The Report sets out, in some detail, how the residual land value resulting from the scheme, compared with the existing land value, would result in a sizeable deficit and would not create any surplus to support any affordable housing provision. The calculations within the Report are explained as being based on industry norms and with the use of an appropriate economic toolkit.

The Report also notes that the affordable housing policies and requirements within the current LDP were adopted in March 2011 and viability assumptions would have been made on the basis of the preparation of the evidence base at an earlier point in the LDP process – hence the need for the Report to identify what has changed. In this case the Report notes how market conditions have worsened, including Brexit, the Covid 19 pandemic and war in Ukraine, all of which have increased construction costs.

Whilst this position is regrettable, particularly at a time of a housing crisis and unmet demand for both social and market housing, the recommendation to Members is that the case set out within the Viability Report sufficiently justifies, in terms of construction costs versus financial return, that an affordable housing contribution would be unaffordable.

### **Conclusion**

It is considered that the development would provide a high quality housing scheme which would make efficient use of a long vacant and semi-derelict brownfield site in a highly sustainable location.

The proposal would accord with the aims of PPW11 and FW2040, in terms of where new development should be located and where Wales will grow and would contribute to the housing mix and requirements set out within LDP Policies CS1, AW1 and NSA2.

In terms of other material matters, such as residential amenity, design and appearance, highway safety and environment, the development is considered to be acceptable, subject to the range of conditions set out at the end of this report.

**RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:**

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

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

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

- 21416/001(-) Location Plan
- 21416/002(-) Proposed Site Plan
- 21416/003(A) Proposed Basement Plan
- 21416/004(A) Proposed Ground Floor Plan
- 21416/005(A) Proposed First Floor Plan
- 21416/006(A) Proposed Second Floor Plan
- 21416/007(A) Proposed Third Floor Plan
- 21416/008(-) Proposed Fourth Floor Plan
- 21416/009(-) Proposed Roof Plan
- 21416/010(-) Proposed Elevation A
- 21416/011(-) Proposed Elevation B
- 21416/012(-) Proposed Elevation C
- 21416/013(-) Proposed Elevation D
- 21416/014(-) Proposed Elevation E
- 21416/015(-) Proposed Elevation F
- 21416/025(-) Green Wall Visual

and details and documents received on 10th May 2023 and 5th July 2023, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

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

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

4. No development shall take place until a scheme for the delivery of all the recommendations contained within Section 4 of the Preliminary Ecological Appraisal (Acer Ecology, May 2023) has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of biodiversity and the natural environment in accordance with PPW 11 and Policies AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place until a scheme for the management of surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall evidence how the development is to take into account of local surface water flood risk and outlines a strategy to ensure the structure is resilient to ensure the development does not increase the number of residents at risk of surface water flooding. Development shall be carried out in accordance with the approved details.

Reason: In the interest of public health in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall take place until details of the following have been submitted to and agreed in writing by the Local Planning Authority:
  - i) Details of a scheme for the setting back of the site boundary fronting Court Street to provide a 2.4m x 22m vision splay from Mitchell Court, to ensure adequate visibility for exiting vehicles.
  - ii) Details of proposed works to the public highway including vehicular crossovers and tie in details with the public footway fronting the site.
  - iii) Details and design calculations for the retaining walls abutting the highway.

Development shall be carried out in accordance with the approved details.

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

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



- g) the sheeting of lorries leaving the site,
- h) hours of operation,
- i) measures for the control of noise from demolition and construction,
- j) site lighting during demolition and construction,
- k) measures for the suppression of dust

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

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

- 8. Prior to beneficial occupation, a validation report shall be submitted to and approved in writing by the Local Planning Authority, to confirm that the double glazing has been installed in accordance with that specified in the submitted Acoustic Report (Blue Acoustics ref NS459, March 2023).

Reason: In the interest of the amenity of future residents in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 9. Prior to beneficial occupation, the means of access, together with the parking and turning facilities, shall be laid out in accordance with drawing number 21416/003(A). The car parking spaces shall be retained thereafter for the parking of vehicles in association with the proposed apartments.

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

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## PLANNING & DEVELOPMENT COMMITTEE

05 October 2023

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/0623/10 (JE)  
**APPLICANT:** Mr Nadarajah  
**DEVELOPMENT:** Change of use from shop (A1) to restaurant with hot food takeaway (A3) including installation of ventilation flue and extraction equipment.  
**LOCATION:** 123 MOORLAND CRESCENT, BEDDAU  
**DATE REGISTERED:** 20/06/2023  
**ELECTORAL DIVISION:** Beddau and Tyn-y-nant

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#### RECOMMENDATION: APPROVE

**REASONS:** The principle of the change of use is acceptable and proposal would bring a vacant unit back into beneficial use. Further, it is not considered the proposed use would have any undue impact upon the amenity, privacy or operation of the neighbouring properties, or upon highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan.

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#### REASON APPLICATION REPORTED TO COMMITTEE

- More than 3 letters of objection have been received.

#### APPLICATION DETAILS

Full planning permission is sought for the change of use from a bakery (Use Class A1) to a restaurant with hot food takeaway (Use Class A3) at 123 Moorland Crescent, Beddau.

The proposed change of use would be facilitated through internal alterations in order to better assist in the running of the proposed. No external alterations are proposed as part of this permission, apart from the installation of a flue and extraction equipment consisting of a carbon filter box, power box fan and silencer on the southern side elevation of the building. The proposed flue would be located 2.5 metres above ground level and would measure a height of 8.9 metres extending 1 metre above the roof level of the property.

The following opening hours are proposed:

- Monday to Sunday – 09:00 to 23:00

## **SITE APPRAISAL**

The application property relates to a ground floor commercial unit located within a larger detached building within Beddau. The building occupies a prominent location on the corner of Forest Road and Fairview. The application property benefits from an existing commercial frontage, roller shutters and areas for signage. The upper floors of the building accommodate a number of residential flats whilst the ground floor of the building accommodates the application unit which is currently vacant along with a hair salon and a convenience store. To the south and east of the building there are areas of off street parking which are directly accessed from Forest Road and Fairview. Access to the upper floor flats is gained from the rear of the building with additional areas of parking and garages to the rear.

Excluding the other commercial uses on the ground floor of the building the area surrounding the site is predominately residential in nature and is characterised by mix of flats and dwellings.

## **PLANNING HISTORY**

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

**06/0327/15:** RED DRAGON RACING LTD, 119 & 123 MOORLAND CRESCENT, BEDDAU, PONTYPRIDD.

Remove variation of condition 2 of application 04/573 to extend opening hours for summer evening racing to 9.15.p.m. maximum

Decision: 14/04/2006, Grant

**10/0345/10:** 107, 111, 115, 119 & 123 MOORLAND CRESCENT, BEDDAU, PONTYPRIDD.

Provision of individual perforated metal roller shutters to front elevation of 5 no. shops. Roller shutters to be to ground floor only and individually controlled by electronic operation.

Decision: 29/11/2010, Grant

## **PUBLICITY**

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

3no. letters of objection have been received following consultation from neighbouring occupiers. The points raised have been summarised below:

- Proposal will create antisocial behaviour due to the consumption of alcohol in these premises.

- Takeaway will create noise and loitering in the area.
- Not sufficient parking in the area already which will be made worse by the proposal.
- Nuisance smells
- Will attract people late at night.
- Proposal will reintroduce problems that have been solved in the area.

## **CONSULTATION**

**Transportation Section:** No objection.

**Public Health and Protection:** No objection subject to conditions.

**Dwr Cymru/Welsh Water:** No objection subject to conditions with regard to surface water drainage and waste disposal.

## **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 has been reviewed and a replacement is in the process of being produced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4<sup>th</sup> 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 4<sup>th</sup> 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<sup>th</sup> September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

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

**Policy CS2** – sets out the criteria for sustainable growth in the Southern Strategy Area.

**Policy AW2** – supports development in sustainable locations.

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

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

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

Supplementary Planning Guidance

- Design and Placemaking
- Access, Parking and Circulation

### **National Guidance**

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

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

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

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

Other policy guidance considered:

PPW Technical Advice Note 12 – Design

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**

This application seeks the change of use of an existing commercial premise from a retail shop (Use Class A1) to a restaurant and hot food takeaway (Use Class A3). The applicant advises that he is seeking a change of use as the unit is presently vacant and thus presents an opportunity to bring it back into effective use and attract further custom to this area of Beddau.

Firstly, it is noted that the unit is not located within a designated retail area but a residential area of the village. However, it forms a long-established retail unit within a small parade of similar commercial units that have been in situ since the development of the wider housing estate within which they are located. The principle of commercial use at the premises has therefore already been established.

Whilst there are several existing A3 uses within the settlement of Beddau, it is not considered the proposed change of use would lead to an overconcentration of such uses in the village. It is considered that it would in fact make a valuable contribution to the vitality of the local area by bringing a vacant retail unit back into use, complying with the objectives of Policy CS2 which seeks to promote sustainable growth within the Southern Strategy Area, particularly by reusing vacant and under used buildings.

It is also noted that the property is located within a sustainable location being well served by public transport with medium and high frequency bus services running through the area. As such, it is considered that the proposal is also compliant with the requirements of Policy AW2.

It is therefore considered that the change of use would be compliant with the relevant policies set out in both the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales and the development is acceptable, in principle.

### **Impact on the character and appearance of the area**

As the proposed change of use would be facilitated through internal conversion of the property with no external or enlargement works required, any impact upon the character and appearance of the area would be associated solely with the installation of the flue and extraction equipment proposed on the southern side elevation of the property.

Due to the scale and location of the proposed flue it would inevitably form a highly visible feature in the immediate locality being visible from several neighbouring residential properties and form the main highway through the estate. As such some concern was initially raised in this respect. In an attempt to address this concern amended plans were received which show that the flue system would be finished in matt black to reduce its prominence. While some concern remain with regard the scale

and appearance of the flue, it is considered the finishing colour would reduce the visual impact to a point where the structure would generally be considered acceptable in visual terms and any impact would not be great enough to warrant a refusal of the application.

As such, it is considered that the proposals would significantly detract from the character or appearance of the area and are considered acceptable in this regard.

### **Impact on residential amenity and privacy**

While the proposal will utilise an existing commercial unit, the property is located within a predominantly residential area, surrounded mainly by residential properties. There is consequently some concern in respect of potential impacts the amenities of surrounding neighbours.

However, given the mixed use context of the immediate locality, the area is already likely to be characterised by some noise and disturbance associated with the comings and goings linked to the previous use, as well as other the other commercial uses in the parade. Furthermore, there is no reason to believe that car-borne customers of an A3 use are any more likely to raise their voices, slam car doors, start engines, leave engines idling or play car radios any more than customers of a retail store which could occupy the property without permission.

In addition, when considering the recent allowed appeal decision (CAS-02297-V9K9D6) for the change of use from A1 to A3 for a mid-terrace property located within a residential area of Tonypany where the Inspector considered similar impacts to be acceptable, it is not considered that the impact of this proposal would be any different or great enough to warrant a refusal of the application.

Notwithstanding the above, this proposal seeks opening hours of 09:00am to 11:00pm each day which has the potential to result in nuisance impacts to neighbouring properties. As such, it is considered that a more appropriate closing time would be 9pm which would also tie in with the appeal decision set out above. As such, a condition to restrict the hours of operation has been set out below should Members be minded to approve the application.

Taking the above into account, the proposal is not considered to adversely impact upon residential amenity and is considered acceptable in this regard.

### **Highway Safety**

The Council's Transportation Section were notified during the consultation period in order to assess the suitability of the proposal with regard to highway safety and parking provision. The following response was received:

#### Access



The property is an established retail premises within Beddau with continuous footways and carriageway widths to accommodate safe access to the proposed use. There are shared public car parks to the front on Moorland Crescent and to the side off Forest Road, and resident parking to the rear.

### Parking

The existing A1 use requires up-to a maximum of two off-street spaces with shared use provided.

The proposed restaurant requires up-to a maximum of 5 spaces for customers and 1 staff space taking the total to 6 spaces with shared use car parking provided. The shared use car parking and existing facilities for deliveries to the proposed are deemed acceptable to serve the takeaway.

### Conclusion.

The proposed will increase the maximum off-street car parking demand by up-to 4 spaces within the vicinity of the site compared to that of the existing use as a retail shop. However, there are off-street car parking facilities to the front and side of the proposed (18 spaces) which are not allocated to any specific unit and some degree of on-street space available without impacting on the free flow of traffic on Moorland Crescent and Forest Road with a carriageway width in the region of 8.1m. As such, on this basis no highway objection is raised or condition suggested.

### **Public Health & Protection**

Given the proposed use, the Council's Public Health and Protection Division have noted that there is a potential for issues to arise in respect of noise, smell and waste disturbances however, no details have been submitted with the application in this respect. It is advised however that these issues can be overcome through the installation of specialist extraction equipment and therefore no objections have been raised subject to conditions to be added to any consent to control odour and food waste.

The Council's Public Health and Protection Department have also recommended that a number of conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are noted, it is considered that construction noise, waste and dust matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary.

### **Other issues raised by the objectors**

With regard to the concerns raised by the objectors regarding anti-social behaviour, these are matters which can be addressed by the relevant enforcement agencies

through other controls outside of the planning legislation. There is also no evidence to suggest that proposed use would result in any anti-social behaviour issues in the area.

## **Drainage**

Whilst Welsh Water raised no objection to the proposal, they requested a condition be attached to any consent with regard to surface water drainage. However, in this instance the proposal would see no increase in the external footprint of the property or any works that would impact upon the current drainage arrangements. As such, it is considered that such a condition would be unreasonable and not required.

## **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 principle of development is supported and the change of use is deemed to have an acceptable impact upon the character and appearance of the area, the amenities of nearby properties and highway safety within the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan as highlighted above.

## **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan no's
  - 23-077/P/01 – Received 12/06/23
  - 23-077/P/05 – Received 12/06/23
  - 23-077/P/06 Rev A – Received 18/08/23
  - 23-077/P/07 – Received 12/06/23

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 drawings, before the use commences, equipment to control the emission of fumes and odour from the premises shall be installed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of measures to suppress noise from the equipment to a level supported by a noise impact assessment in relation to adjoining residential property. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details for as long as the use continues.

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

4. The approved use shall not commence until details of a scheme to prevent waste cooking oil, fats and grease and solid waste from entering the foul drainage system has been submitted to and approved in writing by the Local Planning Authority. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details for as long as the use continues.

Reason: To protect the integrity of the foul drainage system in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

5. The hours of operation for the business hereby approved shall be restricted to between the following hours:

Monday to Sunday: 09.00hours – 21.00 hours.

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

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## PLANNING & DEVELOPMENT COMMITTEE

05 October 2023

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/0727/10 (GH)  
**APPLICANT:** Mr Pettit  
**DEVELOPMENT:** Change of use of the area from a mixture of both garden and agriculture to all equine use. Propose a change in ground level and material to provide free drainage to a horse training enclosure as shown on plans.  
**LOCATION:** PANTGLAS FARM, CAE PANTGLAS, YNYSMAERDY, PONT-Y-CLUN, PONTYCLUN, CF72 8GX  
**DATE REGISTERED:** 03/08/2023  
**ELECTORAL DIVISION:** Llantrisant and Talbot Green

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**RECOMMENDATION:** GRANT SUBJECT TO THE CONDITIONS BELOW:

**REASONS:** The manège and associated development is and would be located on land outside the settlement boundary but within the curtilage of an existing residential planning unit.

**It is considered that the scale, siting and appearance of the proposal would not result in an intrusive development that would be either detrimental to the quality of the setting or cause unacceptable harm to the amenity of third parties.**

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

Three or more letters of objection have been received.

#### **APPLICATION DETAILS**

Full planning permission is sought for the construction of an enclosed horse training area, or manège, and associated works, at Pantglas Farm, Cae Pantglas, Ynysmaerdy.

It is proposed that the manège would be set out on land to the north-western side of the dwelling, which currently comprises part of the garden of the dwellinghouse and part of a paddock, both of which are within the same planning unit.

The manège would have a width of 22m and a depth of 50m and would be enclosed by a post and rail fence. Due to the fall in land levels, the development would require

some cut and fill, which would result in battered back areas around parts of its periphery.

The plans also include detailed drawings of how surface water would be managed and disposed of and indicate that a gravel-surfaced parking yard would be provided for access to the south-eastern end of the manège.

In addition to these works, the Applicant was asked to supply a site layout plan (drawing ref A3.04) to include the 11m wide horse walker within the scope of the application and for clarity, to show the position of the previously approved stables and a 6m x 4.8m muck heap. This was received prior to consultation being carried out.

## **SITE APPRAISAL**

The site of this application measures approximately 0.5 hectares and relates to land to the north-west of the Applicant's dwelling and landholding known as Pantglas Farm, Coedely.

The site consists of an irregular-shaped piece of agricultural land which is enclosed by a fence, hedgerow, or a combination of both. However, the vegetation alongside south-eastern and south-western boundaries is much thicker and includes multiple groupings of large, mature trees. There is a general fall in levels towards the south-west.

All of the land in question is located outside the settlement boundary and therefore in the open countryside. It does not form part of the allocated employment site on the former Coedely Colliery.

The north-western boundary of the site is aligned with the A4119 Ely Valley Road and there are a handful of dwellings located to the south-east, all of which share the same access, via a private lane, from the public highway.

## **PLANNING HISTORY**

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

**22/1428/10:** Change in ground level to provide free drainage to horse training enclosure. Decision: 30/06/2023, Withdrawn by Applicant

**21/1608/15:** Variation of Condition - 3 stable materials of planning permission 21/1166/10. Decision: TBC

**21/1166/10:** Construction of stables & yard (4 stables and tack room) for personal livery. Decision: 25/10/2021, Grant

**21/5011/41:** Pre app. Decision: 14/04/2021, Raise No Objection

- 18/1348/10:** Change of use from agricultural field to residential garden and retention of associated outbuildings. Proposed retaining walls and filling in of hardstand area to be a level grassed garden area (Amended plan received and change in description). Decision: 30/04/2019, Grant
- 16/0123/10:** Erect steel portal framed building (13.71m x 7.62m) for agricultural purposes/domestic/smallholding (resubmission 15/1399/10). Decision: 28/11/2016, Refuse
- 15/1399/10:** Erect a steel portal framed Agricultural Building. Decision: 22/12/2015, Refuse

## **PUBLICITY**

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

Letters of objection, from four individuals at two households, have been received raising various matters which can be summarised as follows:

- The volume of traffic using the shared private drive, which serves two other dwellings, has noticeably increased by visitors and other persons presumably employed at the livery stables.
- The stable has been constructed but the drainage for this has not been implemented. The current application does not deal with the discharges still coming from the stables.
- The stables appear to be being used for business use, not personal use as a condition of the permission requires – the lorry based horse box is an indication of this and the horse walker is not of a domestic scale.
- The planning application does not seek planning permission for the horse walker or muck heap.
- There is an extremely unpleasant odour from this muck store.
- The parking for the existing outbuilding is also set within the application site on land in front of the existing stables. The outbuilding was granted planning permission as a double garage and family room over but is currently being advertised on Airbnb and this commercial traffic adds to the volume of traffic.
- The increase in use over that normally generated by three private houses is evidenced by the volume of waste having to be removed from the private treatment plant, which now has to be emptied four times a year instead of the previous two.
- The site is not part of a farm and has not been so for over 20 years.
- The application plans suggest 250 tonnes of topsoil will need to be removed from the site and 600 tonnes of subsoil and filter media imported. The shared private drive is not suitable for that.

- The Applicant has stopped the refuse collection vehicles from using the shared private drive to access the entrance to my house.
- It would appear that the surface water from the manège would overflow at the north-west end but the application doesn't indicate where it would go – it may flow down the cutting and onto the private shared drive.

## **CONSULTATION**

### Highways and Transportation

No objection, subject to conditions including restricting the development to a non-commercial use.

### Flood Risk Management

Notes that the applicant will be required to submit an application to the Sustainable Drainage Systems (SuDS) Approval Body (SAB). It is also identified that an unnamed ordinary watercourse conveys in a southwest direction along the northern periphery of the proposed site area and continues to flow in a southeast direction adjacent to the west site boundary before conveying south towards the River Ely.

Although a standard condition is recommended relating to the discharge of surface water, it is considered that this matter will be satisfactorily addressed by the separate SuDS approval.

### Public Health and Protection

Pollution and Public Health have no comments regarding this proposal.

### Dwr Cymru Welsh Water

No objection. The position of a trunk/distribution watermain, which passes under the highway alignment to the south-west, is noted.

### Countryside – Ecologist

No objection.

### The Coal Authority

The development falls within the defined Development Low Risk Area and there is no requirement for a Coal Mining Risk Assessment to be submitted.

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

## **POLICY CONTEXT**



## **Rhondda Cynon Taf Local Development Plan**

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

The application site lies within open countryside.

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

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

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

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

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

**Policy AW10** - Development proposals must overcome any harm to public health, the environment or local amenity as a result of pollution, land instability, flooding, noise and any other identifiable environmental risks.

**Policy SSA13** - The settlements in the Southern Strategy Area have absorbed a significant amount of new development during the last decade. In order to protect the identity of these settlements, ensure the efficient use of land and protect the

countryside from urbanisation and incremental loss; the policy stipulates that development will not be permitted outside the defined settlement boundary.

### **Supplementary Planning Guidance**

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

### **National Guidance**

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

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

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

However, it is considered that the scale and nature of the proposal are of minimal relevance to the regional policies set out within the NDF, so there are no observations or concerns about compliance in that regard.

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 15: Development and Flood Risk;

Manual for Streets

### **REASONS FOR REACHING THE RECOMMENDATION**

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

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

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

## **Main Issues:**

### **Principle of the proposed development**

The application seeks permission, partly in retrospect, for the construction of a manège and associated equine development within land forming part of the wider planning unit known as Pantglas Farm.

The planning unit relating to this application comprises the Applicant's dwelling, the garden associated with that dwelling, and a paddock on its north-western side.

Firstly, the description of development identifies a combination of agricultural, garden and equine uses. For the purposes of land use planning the reference to equine is a descriptive one and at Pantglas Farm the land within the planning unit will either be garden/amenity space associated with the dwelling or unallocated land for which an agricultural use does not require permission.

In this regard, whether land falls to be regarded as part of the domestic curtilage of a dwelling is a matter of fact and degree and it will not, as in this case, necessarily be co-extensive with the planning unit or the boundary of land within the same ownership or occupation.

Nonetheless, as the planning history sets out, the previous owner of the property received planning permission, ref. 18/1348/10, to extend the garden into the paddock area and retain outbuildings. This garden extension is no longer required and the submitted details outline the extent of the land – the 'red line boundary' - which is to be used for the keeping of horses.

The submitted details indicate, therefore, that the area of the planning unit that is not within the red line boundary is to remain as garden/amenity land associated with the dwelling.

Secondly, the keeping of horses for leisure purposes, including at residential properties or unallocated/agricultural land within the countryside, is not one that requires planning consent. However, it is reasonable to ensure that any related facilities, such as stabling and exercise areas, are located where they would be compatible with neighbouring land uses.

Consequently, subject to the material matters considered below, there would be no objection to the principle of the development.

### **Impact on the character and appearance of the area**

The manège would not constitute a development of great mass, and any structures for this part of the scheme would relate only to the post and rail fence necessary for enclosing the training area.

Although the training area would cause the land to have a more formalised appearance, compared with maintained grassland or grazed paddock, the site is close to the valley floor and bounded by the Ely Valley Link Road to the one long side and is well-screened by trees on the other, so the visual impact would only be a very localised one.

The horse walker is evident on entry to the site, being located on left hand side of the private drive and is a utilitarian structure rather than an attractive one. Were the application property part of a housing estate development or a more formally laid out suburban residential street scene, it is likely that the horse walker would appear incongruous and detrimental to the appearance of the property.

Nevertheless, the context of the site is the key consideration and whilst it is acknowledged that there are two neighbouring properties to the south-west, the horse-related development is on the opposite side of Pantglas where there are no further neighbouring properties for some distance.

Furthermore, this group of properties is located in open countryside where field shelters, feeders and structures associated with the keeping of animals is more likely to be found.

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

### **Impact on neighbouring occupiers**

The proposed development would be not considered to have a significant amenity impact upon the surrounding neighbouring properties for the following reasons:

The muck heap is located on the opposite site of the horse walker to the objectors' dwellings. It comprises a 29m<sup>2</sup> hardstanding which has been part-enclosed by low-level block walling on three sides to contain the waste placed within it prior to it being picked up.

Planning permission is not required to locate a muck heap within a paddock, whether or not it creates smells offensive to others. It might therefore be arguable whether or

not the minor scale and siting of its enclosure would require the benefit of planning permission.

In any event, the muck heap is largely screened from views from the south-east by the horse walker. Neither structure is in a direct line of sight from neighbouring properties and/or is close enough to a degree which could be considered to have a direct impact – the minimum distance being between 40-53m from the nearest edge of the walker and the elevations of the neighbouring houses.

Likewise, the manège would be out of sight from the neighbouring properties and whilst it is appreciated that its use might generate some noise, it would not be expected to be any greater than if the horse were being exercised in the paddock.

In light of the foregoing and in terms of the impact of the development on the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

### **Ecology**

The Council's Ecologist has noted that the proposed development appears to affect areas of hardstanding and/or improved grassland, without the need for any tree or hedgerow removal.

Furthermore, it is not proposed to erect lights, as confirmed by the Applicant, so the Ecologist has advised that the ecological impacts of the development would be minimal without the need for any specific mitigation.

Nonetheless, Future Wales and PPW11 require developments to demonstrate a biodiversity net gain so condition 3 has been recommended below. The Ecologist suggests that this could be satisfied through the provision of one or two bird nest boxes, preferably for swallows. Lastly, as a safeguard, condition 5, to prevent the erection of lighting, is also recommended below.

### **Access and highway safety**

The Council's Highways and Transportation Section has provided the following guidance:

#### Access

Access to the property is via a private shared lane from Mynydd Garthmaelwg Road, the latter having a carriageway width of 5.8m at the point of its junction with the lane, and lacks segregated footways.

The private shared lane has a carriageway width of 4m which widens to 6m and provides sufficient turning space at its termination to allow vehicles to access and egress the site in a forward gear, which is considered acceptable.

The proposed development is not envisaged to restrict manoeuvrability internally and no alterations are proposed to the existing access arrangement. Therefore, the development would be considered acceptable.

The previous planning permission, ref: 21/1166/10 for the stabling of horses was subject to a condition limiting the use to private equestrian purposes. It is assumed that the proposal will be for exercising of the existing horses stabled on site and therefore a similar condition has been suggested accordingly.

The development would be of an ancillary usage to the existing stabled horses and should not result in an increase of vehicular movements to and from the site post construction.

### Parking

No additional parking requirement has been identified as a result of the proposed development.

### Construction Traffic

The proposed would result in a number of vehicular movements during construction of the manège for the cut and fill operation, removal of top soil and importation of free draining fill. Taking into account the limited additional traffic required to construct the development the impact on the public highway would be minimal and therefore no objection is raised.

It is noted that there are a number of objections from the adjacent residential dwellings with regards the use of the private shared access for HGV vehicles to access / egress the site with increased maintenance liability to the existing residents. The concern is noted although the use of the shared access and maintenance liability is a private matter and therefore no objection is raised in this respect.

### Drainage

To prevent water any run-off from the proposed development discharging onto the public highway a condition has been suggested.

### Summary

Taking into consideration that the manège will be used in connection with the existing stables, no alterations to the existing access are proposed, with means for vehicles to access and egress the site in a forward gear and that the development is not envisaged to generate any additional vehicular movements to that which already occur after construction, no highway objections are raised.

## **Other issues**

In addition to the above, a number of other matters have been raised by objectors:

### Business Use

There is no evidence of business use or persons being employed at the site. The planning permission for the stables is subject to a condition that they are used for non-business purposes. A similar condition is proposed for the manège and horse walker.

### Site drainage

The size of the application area means that the Applicant will require separate approval from the Sustainable Drainage Approval Body (SAB) and detailed drainage plans have been provided alongside the application. These plans also include the capture of surface water from the stables and show how it would be managed.

### Imported materials

It is likely that imported material will need to be brought to site for the base of the manage and the Objectors' correspondence suggests that the development might require 600 tonnes of subsoil or filter media. This would seem to be a reasonable estimate given that a tonne of gravel and topsoil will provide in the range of 0.6 to 0.67 cubic metres of volume.

As a rough guide, this would generate approximately 30 HGVs with a 20 tonne payload; however, the disruption caused by undertaking development over a relatively short term period would not be a reasonable basis on which to consider refusing consent.

### Refuse vehicles

Concerns raised about access relating to waste and recycling are not germane to the application.

### Airbnb use

Letting out a house or a room within a house for a short term holiday let does not normally require planning consent, since it would still be considered to share the characteristics of a dwellinghouse. The Welsh Government's amended Use Classes Order of 2022 introduced Classes C5 and C6 (second homes and short term lets), to which there is a permitted change from Class C3, subject to conditions, unless a Local Planning Authority introduces an Article 4 directive to remove such rights, which RCT have not.

Therefore, this matter may not be considered material to the planning application at hand.

### **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 that the development can be accommodated within the landscape without significant harm to its existing character and visual amenity. In addition, no objections have been raised by statutory consultees with respect to the potential impacts upon either third party amenity, highway safety or ecology.

The application is therefore considered to comply with the relevant Local Development Plan Policies AW5, AW6 and AW10.

### **RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:**

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

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

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

- 17583\_500 rev 03
- 17583\_501 rev 02
- Location Plan A3.04

and details and documents received on 5th July 2023, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development of the manège shall commence until a scheme for biodiversity enhancement has been submitted to and agreed in writing by the



Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.

4. No development of the manège shall commence until details of facilities for wheel washing to be provided on site during construction have been submitted to and approved in writing by the Local Planning Authority. Wheel washing shall be in operation during the duration of the development period.

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

5. No external lighting shall be erected or installed on any part of the development hereby approved.

Reason: In the interests of residential and biodiversity amenity in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

6. The manège and horse walker shall be used for private equestrian purposes only and for no other purpose, including any commercial equestrian use.

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

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

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

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## PLANNING & DEVELOPMENT COMMITTEE

05 October 2023

### REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 22/1261/10 (GH)  
**APPLICANT:** Mr J Groves  
**DEVELOPMENT:** Change of use to convert a cow shed/store into a residential unit. (Preliminary Bat Roost Assessment and Surveys received 17/8/22)  
**LOCATION:** WEST CAERLAN, SCHOOL STREET, LLANTRISANT, PONTYCLUN, CF72 8EN  
**DATE REGISTERED:** 17/08/2023  
**ELECTORAL DIVISION:** Llantrisant and Talbot Green

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#### **RECOMMENDATION: REFUSE FOR THE FOLLOWING REASON:**

**REASONS:** By virtue of the absence of any external amenity space for both the proposed and existing dwellings, the development would be harmful to the amenity and wellbeing of future occupants, contrary to LDP Policy AW6 and the Council's SPG for Design and Placemaking.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

A request has been received from Councillor Sarah-Jane Davies for the matter to come to Committee.

#### **APPLICATION DETAILS**

Full planning consent is sought for the conversion of a storage building and former cow shed at West Caerlan, School Street, Llantrisant, into a dwelling.

The existing building, which has an attached garage to its northern elevation, is currently a single void. The application proposes internal works to create a ground floor living room, kitchen and bathroom, with two bedrooms to the first floor.

Externally, there would be very few changes, relating mainly to openings, in that the two small windows within the western elevation would be enlarged and two rooflights installed in the west-facing roof plane.

Following clarification with the Applicant's Agent a revised site location plan was received, demonstrating that the existing attached garage would provide one off-street parking space for the new dwelling.

Similarly, a further single garage on the opposite side of School Street to West Caerlan, but on land also owned by the Applicant, would provide a single off-street space for the existing dwelling.

In addition to the plans and elevation drawings accompanying the application a Preliminary Bat Roost Assessment and Bat Emergence and Re-entry Survey have been submitted.

## **SITE APPRAISAL**

The application property comprises a storage building and garage which is attached to the northern side of an existing two storey dwelling known as West Caerlan and is located towards the south-western part of Llantrisant and within the defined Conservation Area.

The building is currently within the curtilage of the dwelling and there is no garden space associated with either West Caerlan or the application property, both of which are bounded by the public highway on the northern and western sides, and by the burial space of Llantrisant Parish Church.

Further to the above, it is noted that the land on the opposite side of School Street is also within the ownership of the Applicant. However, with the exception of the single garage referred to in the preceding section, the rest of this land has recently received outline planning consent for a single dwelling (ref: 23/0417/13) and is not included within the scope of this application.

Other than for the Church and its Hall, the latter facing on to the junction of School Street and Swan Street, most of the closest other properties are residential.

## **PLANNING HISTORY**

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

**93/0333/10:** Garage. Decision: 06/04/1994, Granted.

## **PUBLICITY**

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

No letters of objection or representation have been received.

## **CONSULTATION**

### Highways and Transportation

No objection, subject to a condition that the garage identified for the use of the dwelling is maintained for the purposes of parking.

### Flood Risk Management

Natural Resources Wales Surface Water Flood Risk maps have been used to review surface water flood risk. The review concluded that the site does not fall within an area of surface water flood risk.

However, the Applicant has not outlined how surface water would be disposed of and a condition is recommended for the submission of details for approval.

### Dwr Cymru Welsh Water

No objection, subject to informative notes regarding sewer and mains water connections.

### National Grid

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

### Public Health and Protection

Conditions are recommended relating to demolition, hours of operation, noise, dust and waste.

However, given the small scale of the development it is considered that these matters could be addressed within the scope of powers conferred by existing public health legislation and highlighted by an informative note to any planning permission.

### Countryside – Ecologist

No objection. However, any planning permission would require a condition to secure biodiversity mitigation and enhancement measures, per the submitted ecology reports.

### The Coal Authority

In this case, a Coal Mining Risk Assessment (CMRA) would not be required.

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

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

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

The application site lies within the settlement boundary and Conservation Area for Llantrisant.

**Policy CS2** - sets out the strategy for the Southern Strategy Area (SSA) with an emphasis on sustainable growth that protects the culture and identity of communities by focusing development within defined settlement boundaries. Emphasis will also be on protecting the cultural identity of the strategy area by protecting the natural environment.

**Policy CS4** - identifies the housing requirement figure for the plan period.

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

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

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

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

**Policy AW7** - developments which impact upon sites of architectural or historical importance will only be supported where the proposal demonstrates that it will either enhance or preserve the character and appearance of the site.

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

**Policy AW10** - development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability, flooding, pollution or any other identified risk

to local amenity and public health would not be supported.

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

### **Supplementary Planning Guidance**

- Design and Place-making
- Access, Circulation and Parking Requirements
- Nature Conservation
- The Historic Built Environment

### **National Guidance**

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

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

Although the proposed development would be consistent with some of the key principles and requirements for placemaking set out in PPW and the Well-being of Future Generations (Wales) Act's sustainable development principles, the harm to the living conditions of future occupiers, as identified further below, would not align well with national planning policy aims.

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**

This application comprises the subdivision of an existing single residential planning unit to create two separate dwellings independent of each other.

The application site is located within the defined settlement boundary where national and local planning policy seeks to direct new development and creates a presumption in favour, subject to other material planning matters.

On account of its position within settlement limits and given that the majority of the existing properties around the site are either residential, or would be compatible with a residential use, the property would be considered to be in a sustainable location and accord with LDP policies CS2, AW2 and SSA13. There would therefore be no objection to the development in principle.

#### **Impact on the character and appearance of the area**

The application property is located within the Llantrisant Conservation Area. Consequently, in addition to the general considerations relating to design and visual amenity outlined by LDP policies AW5 and AW6, any development will be required to evidence, per policy AW7, that it would either preserve or enhance the character and appearance of the designation.

In this case, the physical alterations to the external shell of the storage building would be minimal. The property is not proposed to be extended and its scale and form would therefore be maintained.



Furthermore, whilst the existing ground floor openings to the elevation facing School Street would be enlarged, the only additional openings would comprise two small roof lights within the western-facing roof plane.

In light of the above and the low-intervention approach to the conversion of the storage building, the development would be considered to be acceptable in terms of its visual impact on the public realm and Conservation Area.

### **Impact on neighbouring and future occupiers**

No objections were raised by neighbouring occupiers as a result of the consultation exercise and since the development proposes the conversion of an existing structure, which is neither immediately adjacent to other dwellings other than for West Caerlan nor would enable direct overlooking, it is unlikely that occupation of the building as a new dwelling would affect the amenity or privacy of existing residents.

However, there is a concern regarding the absence of any external amenity space for future residents of the new dwelling since In this regard Policy AW6 and the Council's SPG for Design and Placemaking are relevant and paragraph 3.6.3 of the latter states: "Dwellings should provide adequate space for peoples living needs, both inside and outside".

It is appreciated that the existing property is already constrained by its location and absence of external space. However, it does have the flexibility of the space provided by the former cow shed and garage, in terms of storage, parking and a very small frontage where, for example, waste and recycling bins might be placed for collection.

The proposed development would remove that flexibility and would result in two dwellings with no private space and whose built footprints would almost represent the entirety of their plots.

Furthermore, the new dwelling would have limited windows and unlike West Caerlan would have none to the rear elevation. Outlook from the ground floor windows would be directly onto the highway, with no defensible space between the dwelling and the highway.

It is also recognised that the land opposite has outline planning permission for a single dwellings, which means that any outlook from ground floor windows, should that development take place, would be severely restricted and could affect natural light. Although this matter might be considered in greater detail at a later point, it highlights the constraints of the location.

Returning to the issue of external amenity space, the outcome of a recent appeal at Station Road, Tonypany, is noted (ref: CAS-02475-B8L1H1). Like the current application, the appeal development concerned a proposal for the subdivision of a planning unit and the creation of a new two-storey dwelling.

In dismissing the appeal, the Inspector noted:

*“In developing a two-bed, two storey detached dwelling, occupiers would reasonably expect to be equipped with adequate private outdoor space, for the drying of washing, storage of items such as cycles or refuse bins, and outdoor seating for relaxation. However, the proposed house and parking spaces would occupy a significant part of the plot, leaving only a small and restricted area of private outdoor amenity space of minimal depth and width...these constraints would significantly restrict the functionality of this space and compromise its ability to provide a meaningful and useable private outdoor garden for future occupants”.*

and

*“Although calculations are provided to show that the percentage of the footprint area relative to site area for the host dwelling and new dwelling would be 40.1% and 33.1% respectively, it is not clear whether this includes the private parking areas which would not be suitable as outdoor amenity space. Having regard to the layout and size of the outdoor space for the proposed dwelling in particular, I find that the proposal would not meet the living needs of its occupants, resulting in a cramped and poor quality living environment”.*

The scenario for West Caerlan and the new dwelling is significantly worse than the context of the appeal property, having virtually no external space.

On the basis of the foregoing it is considered that the proposed development would be harmful to the amenity of future occupants, contrary to LDP Policy AW6 and the Council’s SPG for Design and Placemaking.

### **Access and highway safety**

#### **Access**

The access leading to the site is sub-standard in terms of carriageway width, horizontal and vertical geometry and lacks continuous segregated footway facilities.

There is concern, due to the existing high on-street car parking demand, that the extent of the carriageway is reduced, which increases potential highway hazards to the detriment of safety of all highway users.

#### ***Parking - SPG Access, Circulation & Parking 2011***

The proposed conversion of the property to create a two bed dwelling would, according to the Council’s SPG, require a maximum of 2 off-street car parking spaces with 1 provided. Nonetheless, taking into account the small scale of the proposed the one off-street space is deemed acceptable.

The extent of the red line boundary of the submitted site location plan includes the dwelling West Caerlan, for which the proposal would result in the loss of its existing off-street car parking provision, which raises cause for concern.

However, the Applicant has submitted additional information indicating that West Caerlan would have use of the detached garage located on the opposite side of School Street, which is also in the Applicant's ownership. On this basis no highway objection has been raised.

### *Summary*

There is a concern with regard to the sub-standard highway network in and around Llantrisant leading to the site. However, taking into account the limited additional vehicular and pedestrian movement generated by the small scale of a two bed dwelling, the development is considered to be acceptable on balance.

### **Public Health and Coal Mining Legacy**

The Coal Authority has identified that the application site falls within the defined Development High Risk Area and a coal seam outcrops beyond the southern site boundary, dipping in a northerly direction beneath the site. This seam may have been worked in the past and such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the Applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application.

However, in this instance it appears that the proposal would entail the change of use of the existing building to a dwelling without the need to construct any new foundations or to undertake any earthworks. On this basis, the Coal Authority does not consider that requiring a CMRA would be proportionate to nature of the development proposed in this particular case and does not object to this planning application.

### **Ecology**

The Council's Ecologist has advised that the July 2023 Wildwood Preliminary Roost Assessment assessed the building as having moderate suitability for bats and therefore recommended that at least two bat activity surveys were undertaken. This report also found that the building had low suitability for nesting birds.

The activity surveys were then undertaken by Arbtech as detailed in the August 2023 Bat Emergence and Re-Entry survey report. Two dusk emergence surveys were

undertaken in July/August in which no bat emergences were seen. The report also found no evidence of nesting birds.

Therefore, an EPS licence would not be needed but the development would need to secure the recommendations and biodiversity enhancement measures set out in Table 4 of the report.

### **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**

In most material planning respects the proposed new dwelling is considered to be an acceptable form of development that would be sustainably located and have minimal impact on its historic setting.

However, both this and the modest contribution to local housing supply are considered to be outweighed by the harm to the amenity of future residents caused by the absence of any external amenity space. Instead of one constrained dwelling, albeit currently with the flexibility of the former cow shed and garage area, the development would result in an intensification of use and two constrained dwellings in its place.

Therefore, it is considered that the proposed development would be harmful to the amenity and wellbeing of future occupants, contrary to LDP Policy AW6 and the Council's SPG for Design and Placemaking.

### **RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:**

1. By virtue of the absence of any external amenity space for both the proposed and existing dwellings, the development would be harmful to the amenity and wellbeing of future occupants, contrary to LDP Policy AW6 and the Council's SPG for Design and Placemaking.

## PLANNING & DEVELOPMENT COMMITTEE

05 OCTOBER 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 28/08/2023 – 22/09/2023

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**

**05 OCTOBER 2023**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**REPORT**

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

**OFFICER TO CONTACT**

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

**See Relevant Application File**

## APPEALS RECEIVED

**APPLICATION NO:** 23/0182  
**APPEAL REF:** CAS-02679-F9V3N1  
**APPLICANT:** The Handy Bee  
**DEVELOPMENT:** Proposed construction of one bedroom eco-cabin dwelling.  
**LOCATION:** LAND ADJ. TO 11 ST JOHN STREET, TRECYNON, ABERDARE  
**APPEAL RECEIVED:** 17/04/2023  
**APPEAL START DATE:** 04/09/2023

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**APPLICATION NO:** 23/0282  
**APPEAL REF:** CAS-02903-C0W7M5  
**APPLICANT:** Mr S Jeffs & Miss O Taylor  
**DEVELOPMENT:** Loft conversion  
**LOCATION:** 11 MAESTEG GARDENS, TON-TEG, PONTYPRIDD, CF38 1NE  
**APPEAL RECEIVED:** 07/08/2023  
**APPEAL START DATE:** 05/09/2023

## APPEAL DECISION RECEIVED

**APPLICATION NO:** 20/0930  
**APPEAL REF:** CAS-02713-X0F6P2  
**APPLICANT:** Atthiporn Ltd  
**DEVELOPMENT:** Development of three dwellings (Amended plans received 20/10/2021).  
**LOCATION:** LAND ADJ. TO NO. 15 CLOS AFON, ABERCWMBOI, ABERDARE  
**DECIDED:** 31/10/2022  
**DECISION:** Refused  
**APPEAL RECEIVED:** 05/05/2023  
**APPEAL DECIDED:** 19/09/2023  
**APPEAL DECISION:** Dismissed

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**APPLICATION NO:** 22/0263  
**APPEAL REF:** CAS-02354-Q8K2D3  
**APPLICANT:** Eanza Property Solutions Ltd  
**DEVELOPMENT:** Conversion of the basement to a self-contained studio flat  
**LOCATION:** 2 SCRANTON VILLAS, HIGH STREET, CYMMER, PORTH, CF39 9EU

**DECIDED:** 22/08/2022  
**DECISION:** Refused  
**APPEAL RECEIVED:** 23/11/2022  
**APPEAL DECIDED:** 04/09/2023  
**APPEAL DECISION:** Allowed with Conditions

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**APPLICATION NO:** 22/0947  
**APPEAL REF:** CAS-02753-P3Q3Y0  
**APPLICANT:** Katherine Evans  
**DEVELOPMENT:** Proposed new dwelling (amended plans received 11/10/2022).  
**LOCATION:** LAND OPPOSITE 1 GLANFFRWD TERRACE, YNYS-Y-BWL, PONTYPRIDD, CF37 3LW  
**DECIDED:** 17/11/2022  
**DECISION:** Refused  
**APPEAL RECEIVED:** 19/05/2023  
**APPEAL DECIDED:** 08/09/2023  
**APPEAL DECISION:** Dismissed

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**APPLICATION NO:** 22/1270  
**APPEAL REF:** CAS-02599-L8X8P3  
**APPLICANT:** Mr I Connolly  
**DEVELOPMENT:** Single dwelling, associated external works, drive access and parking in curtilage of Woodlodge (Re-submission of 21/1429/10).  
**LOCATION:** WOOD LODGE, YNYSHIR ROAD, YNYS-HIR, PORTH, CF39 0RG  
**DECIDED:** 19/12/2022  
**DECISION:** Refused  
**APPEAL RECEIVED:** 07/03/2023  
**APPEAL DECIDED:** 22/09/2023  
**APPEAL DECISION:** Allowed with Conditions

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**APPLICATION NO:** 22/1400  
**APPEAL REF:** CAS-02726-D2F7N6  
**APPLICANT:** Mr K Buckley  
**DEVELOPMENT:** Detached dwelling, double garage  
**LOCATION:** LAND WEST OF FIFTH AVENUE HOUSE, HALT ROAD, RHIGOS, ABERDARE  
**DECIDED:** 18/01/2023  
**DECISION:** Refused  
**APPEAL RECEIVED:** 12/05/2023



**APPEAL DECIDED: 08/09/2023**  
**APPEAL DECISION: Dismissed**

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**APPLICATION NO: 23/0044**  
**APPEAL REF: CAS-02825-G1T1T7**  
**APPLICANT: Mrs Pike**  
**DEVELOPMENT: Retrospective retention of steps and middle decking  
(Resubmission of 22/0783/10)**  
**LOCATION: 3 PLEASANT HEIGHTS, PORTH, CF39 0LZ**  
**DECIDED: 19/06/2023**  
**DECISION: Refused**  
**APPEAL RECEIVED: 27/06/2023**  
**APPEAL DECIDED: 22/09/2023**  
**APPEAL DECISION: Allowed with Conditions**

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

**Report for Development Control Planning Committee**

**28/08/2023 and 22/09/2023**

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**23/0956/31** Decision Date: 13/09/2023  
**Proposal:** Installation of Telecommunication apparatus

**Location:** GILFACH ROAD, TONYPANDY

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**Tonypandy**

**22/0900/10** Decision Date: 06/09/2023  
**Proposal:** Two-storey detached dwelling (updated FCA received 26/06/23, amended plans received 02/08/23)

**Location:** LAND TO THE SIDE OF NO. 6 PARK PLACE, TONYPANDY, CF40 1BA

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**Aberaman**

**21/1558/10** Decision Date: 07/09/2023  
**Proposal:** Proposed rear first floor extension.

**Location:** 132 GLANAMAN ROAD, CWMAMAN, ABERDARE, CF44 6HY

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**23/0706/10** Decision Date: 14/09/2023  
**Proposal:** Proposed first floor extension to rear

**Location:** 87 REGENT STREET, ABERAMAN, ABERDARE, CF44 6EU

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**Aberdare East**

**23/0833/10** Decision Date: 14/09/2023  
**Proposal:** Change of use to a mixed use development consisting of a retail area and workshop (Planning Use Class A1) and a coffee house (Planning Use Class A3).

**Location:** GROUND FLOOR, 3 CANON STREET, ABERDARE, CF44 7AT

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**Aberdare West and Llwydcoed**

**23/0676/10** Decision Date: 05/09/2023  
**Proposal:** Proposed single storey extension for a kitchen, shower room and utility room and bedroom extension on top of existing garage.

**Location:** 16 BLAEN WERN, CWMDARE, ABERDARE, CF44 8SD

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**23/0806/10** Decision Date: 08/09/2023  
**Proposal:** Rear Extension

**Location:** 85 THE RIDINGS, CWMDARE, ABERDARE, CF44 8AQ

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**Beddau and Tyn-y-nant**

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

**Report for Development Control Planning Committee**

**28/08/2023 and 22/09/2023**

**Beddau and Tyn-y-nant**

**23/0893/10**

Decision Date: 30/08/2023

**Proposal:**

Part retrosoective works to replace existing deck area which had become unsafe with new decking area with the addition of a new lower raised deck area

**Location:**

20 BRYNTEG GREEN, BEDDAU, PONTYPRIDD, CF38 2PT

**Brynna and Llanharan**

**23/0827/09**

Decision Date: 01/09/2023

**Proposal:**

Internal works to property, Renew front and rear doors and Resurface tarmac in car park.

**Location:**

OLD AGE PENSIONERS HALL, HEOL CYNLLAN, LLANHARAN, PONTYCLUN, CF72 9RL

**23/0899/10**

Decision Date: 01/09/2023

**Proposal:**

Single storey extension.

**Location:**

80 LONYDD GLAS, LLANHARAN, PONTYCLUN, CF72 9FW

**Church Village**

**23/0782/10**

Decision Date: 30/08/2023

**Proposal:**

Proposed single storey extension added to existing rear outbuilding

**Location:**

48 CONWAY CRESCENT, TON-TEG, PONTYPRIDD, CF38 1HP

**23/0816/19**

Decision Date: 12/09/2023

**Proposal:**

Works to Oak Tree no.5 - TPO 33 (1999) - Prune the branches that are overhanging the garden and approaching/touching property (of 32 Cwrt Coed y Brenin).

**Location:**

32 CWRT COED-Y-BRENIN, CHURCH VILLAGE, PONTYPRIDD, CF38 1TN

**23/0832/10**

Decision Date: 14/09/2023

**Proposal:**

Erection of a garage and associated works.

**Location:**

3 HIGH WILLOWS, CHURCH ROAD, TON-TEG, PONTYPRIDD, CF38 1EX

**23/0858/10**

Decision Date: 12/09/2023

**Proposal:**

Change of use from former surgery (Planning Use Class D1) to office use (Planning Use Class B1)

**Location:**

LLWYN YR EOS CLINIC, MAIN ROAD, CHURCH VILLAGE, PONTYPRIDD, CF38 1RN

**23/0868/19**

Decision Date: 13/09/2023

**Proposal:**

30% crown reduction to 2 Oak trees in the garden (to the side of my the property),

**Location:**

1 LIMETREE CLOSE, CHURCH VILLAGE, PONTYPRIDD, CF38 2GE

**23/0875/10**

Decision Date: 19/09/2023

**Proposal:**

Garage extension and re-positioning of existing boundary means of enclosure.

**Location:**

1 LLYS Y FRAN, CHURCH VILLAGE, PONTYPRIDD, CF38 2AZ

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**  
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**Report for Development Control Planning Committee**

**28/08/2023 and 22/09/2023**

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**Cilfynydd**

**23/0851/10** Decision Date: 14/09/2023  
**Proposal:** Car parking area to front of property and new raised balcony decking area to front of dwelling.  
**Location:** TREETOPS, 6 BROOKFIELD LANE, PONTYPRIDD, CF37 4DN

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**Cwmbach**

**23/0863/10** Decision Date: 05/09/2023  
**Proposal:** Proposed rear & side extensions & front porch.  
**Location:** 12 BLAENNANTYGROES ROAD, CWM-BACH, ABERDARE, CF44 0EA

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**Cymer**

**23/0890/10** Decision Date: 08/09/2023  
**Proposal:** First Floor rear extension  
**Location:** 9 RICKARDS STREET, GLYNFACH, PORTH, CF39 9LL

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**Gilfach-goch**

**23/0738/10** Decision Date: 12/09/2023  
**Proposal:** Proposed two pairs of Semi-Detached houses  
**Location:** FORMER BLANDY ARMS PUBLIC HOUSE, 174A HIGH STREET, GILFACH-GOCH, PORTH, CF39 8SH

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**23/0935/10** Decision Date: 13/09/2023  
**Proposal:** Proposed two storey extension.  
**Location:** 16 BEECH STREET, HENDREFORGAN, GILFACH-GOCH, PORTH, CF39 8UD

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**Glyn-coch**

**23/0781/10** Decision Date: 30/08/2023  
**Proposal:** Proposed single storey side extension with pitched roof  
**Location:** 37 CEFN CLOSE, GLYN-COCH, PONTYPRIDD, CF37 3PR

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**Graig and Pontypridd West**

**23/0717/12** Decision Date: 13/09/2023  
**Proposal:** Internal alteration to office / welfare space and refurbishment. Installation of automatic fire detection (application for Listed Building Consent).  
**Location:** BRITISH TRANSPORT POLICE, PONTYPRIDD RAILWAY STATION, BROADWAY, PONTYPRIDD, CF37 1DT

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**Hawthorn and Lower Rhydfelen**

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

**Report for Development Control Planning Committee**

**28/08/2023 and 22/09/2023**

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**Hawthorn and Lower Rhydfelen**

**23/0122/10** Decision Date: 05/09/2023  
**Proposal:** Firetank, pump house, weighbridges, weighbridge office and site office (Site Investigations Report rec. 22/05/23).  
**Location:** UNIT G1, MAIN AVENUE, TREForest INDUSTRIAL ESTATE, PONTYPRIDD

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**Llanharry**

**23/0836/10** Decision Date: 18/09/2023  
**Proposal:** Proposed single storey extension to front elevation to provide additional living area  
**Location:** BRYNTEG FARM, LLANHARRY ROAD, LLANHARAN, PONTYCLUN, CF72 9LH

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**Llantrisant and Talbot Green**

**23/0878/10** Decision Date: 04/09/2023  
**Proposal:** Proposed two storey extension. (Amended Location Plan received 25/08/2023)  
**Location:** 1 CAE RHYS, CARDIFF ROAD, LLANTRISANT, PONTYCLUN, CF72 8DH

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**Llantwit Fardre**

**23/0789/10** Decision Date: 07/09/2023  
**Proposal:** Change of use from land to extend garden curtilage to the rear  
**Location:** 3 LLYS LLEWELYN, LLANTWIT FARDRE, PONTYPRIDD, CF38 2HQ

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**23/0795/09** Decision Date: 05/09/2023  
**Proposal:** Erection of single storey side extension with rooflight and single storey rear extension with rooflights; insertion of ground floor window.  
**Location:** 7 CLOS-Y-CARW, LLANTWIT FARDRE, PONTYPRIDD, CF38 2BP

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**23/0802/10** Decision Date: 06/09/2023  
**Proposal:** Proposed extension to existing garage to form storage area for gym equipment  
**Location:** 179 QUEEN'S DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NY

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**23/0831/10** Decision Date: 18/09/2023  
**Proposal:** Proposed garage conversion to form office and play room.  
**Location:** 57 CADWAL COURT, LLANTWIT FARDRE, PONTYPRIDD, CF38 2FA

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**Mountain Ash**

**23/0796/09** Decision Date: 06/09/2023  
**Proposal:** Construction of a rear single storey extension in order to provide a downstairs bedroom and shower-room.  
**Location:** 49 FFORDD Y GLOWYR, MOUNTAIN ASH, CF45 4FD

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

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**28/08/2023 and 22/09/2023**

**Pen-y-waun**

**23/0938/10** Decision Date: 21/09/2023  
**Proposal:** External lighting, new access door, internal re-arrangement, front signage alteration, storage container to rear  
**Location:** 7-8 SHOPPING CENTRE, HEOL BRYN GWYN, PEN-Y-WAUN, ABERDARE, CF44 9HD

**Pontyclun Central**

**22/0729/10** Decision Date: 13/09/2023  
**Proposal:** Retention of solar panels installed on roof of garage to rear of property.  
**Location:** GRAIG HOUSE, HENSOL ROAD, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8JQ

**22/1204/10** Decision Date: 22/09/2023  
**Proposal:** Demolition of smoke house and concrete training tower and installation of steel training tower and creation of car parking spaces.(Bat Survey Report received 28/07/23)  
**Location:** PONTYCLUN FIRE STATION, LLANTRISANT ROAD, PONTYCLUN, CF72 9DR

**Pontyclun East**

**23/0867/10** Decision Date: 31/08/2023  
**Proposal:** Annex and office space  
**Location:** MILLSTONE BARN, LLANFARACH FARM, PENDOYLAN ROAD, MISKIN, PONT-Y-CLUN, CF72 8NF

**23/0894/10** Decision Date: 01/09/2023  
**Proposal:** Proposed single storey rear extension to provide additional living area and small section of raised deck seating area.  
**Location:** 20 ACORN CLOSE, MISKIN, PONT-Y-CLUN, PONTYCLUN, CF72 8SQ

**Pontyclun West**

**23/0704/10** Decision Date: 08/09/2023  
**Proposal:** Change of use from office (use class b1) to mixed / sui generis use - coffee shop (a3), office (b1), retail / hairdresser (a1) & tattoo artist (sui generis), together with outdoor seating area.  
**Location:** IAN WILLIAMS CARPENTRY, 20 COWBRIDGE ROAD, PONT-Y-CLUN, PONTYCLUN, CF72 9EE

**Pontypridd Town**

**23/0711/20** Decision Date: 07/09/2023  
**Proposal:** Demolition of the existing garage, construction of one new fence/gate-post (to match existing RHS), the retention of the existing gates. This includes the construction of a new 1.8m high concrete post, gravel board,  
**Location:** THE CO OPERATIVE FUNERALCARE, 2 GELLIWASTAD ROAD, PONTYPRIDD, CF37 2BP

**23/0809/10** Decision Date: 12/09/2023  
**Proposal:** Attach a retractable awning to the exterior wall.  
**Location:** CLWB Y BONT, 85B TAFF STREET, PONTYPRIDD, CF37 4SL

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

**Report for Development Control Planning Committee**

**28/08/2023 and 22/09/2023**

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**Pontypridd Town**

**23/0822/01** Decision Date: 12/09/2023  
**Proposal:** Erect an external sign in display case and erect overhead sign in the lane between Darlows and Boots.  
**Location:** CLWB Y BONT, 85B TAFF STREET, PONTYPRIDD, CF37 4SL

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**Taff's Well**

**23/0874/10** Decision Date: 20/09/2023  
**Proposal:** Proposed single story side extensions for hall and lounge and storage area  
**Location:** 94 GLAN-Y-FFORDD, TAFF'S WELL, CARDIFF, CF15 7SP

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**Tonyrefail East**

**23/0653/10** Decision Date: 06/09/2023  
**Proposal:** Change of use to zero waste shop and community coffee shop.  
**Location:** 30 MILL STREET, TONYREFAIL, PORTH, CF39 8AA

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**Tonyrefail West**

**23/0842/10** Decision Date: 15/09/2023  
**Proposal:** Change of Use to B8 (Storage or Distribution)  
**Location:** UNIT A, PARC EIRIN, TONYREFAIL, PORTH, CF39 8WA

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**23/0911/10** Decision Date: 20/09/2023  
**Proposal:** Ground floor Rear extension (Removal of conservatory)  
Main roof attic conversion to bedroom and front dormer. Garage roof conversion to bedroom.  
**Location:** 21 GELLI SEREN CLOSE, THOMASTOWN, TONYREFAIL, PORTH, CF39 8EF

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**Treherbert**

**23/0321/10** Decision Date: 22/09/2023  
**Proposal:** Erection of canine recreational building and use of property as a canine business with day-care, classes and overnight boarding and residential property. (Amended description received 19/06/23)  
**Location:** FOREST VIEW, BAGLAN STREET, TREHERBERT, TREORCHY, CF42 5AW

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**Treorchy**

**23/0489/10** Decision Date: 14/09/2023  
**Proposal:** Construction of detached bungalow(Revised redline boundary and plans received 02/08/23)  
**Location:** LAND TO THE EAST OF BARRETT STREET, CWM-PARC, TREORCHY

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

**Report for Development Control Planning Committee**

**28/08/2023 and 22/09/2023**

**Treorchy**

**23/0889/10** Decision Date: 08/09/2023

**Proposal:** Two storey side extension

**Location:** 3 SWN YR AFON, TREORCHY, CF42 6NX

**Tylorstown and Ynyshir**

**23/0101/13** Decision Date: 15/09/2023

**Proposal:** Outline Planning Permission with all matters reserved for Two detached 4 bedroom dwellings. (Ecological Appraisal received 08/07/23)

**Location:** LAND AT 33 - 36 BRYNHEULOG TERRACE, TYLORSTOWN, FERNDALE

**23/0675/09** Decision Date: 07/09/2023

**Proposal:** Certificate of Lawfulness for existing use/development - conversion of the property into two separate residential units independent from each other; and the construction of a single storey bathroom extension at

**Location:** 176 EAST ROAD, TYLORSTOWN, FERNDALE, CF43 3BU

**23/0818/10** Decision Date: 11/09/2023

**Proposal:** Proposed garage and construction of a two metre high palisade fence at the rear of 46 -50 South Street, Ynyshir.

**Location:** LAND TO THE REAR TO 46 - 50 SOUTH STREET, YNYS-HIR, PORTH

**23/0840/10** Decision Date: 19/09/2023

**Proposal:** Proposed construction of a domestic garage.

**Location:** 58 EDMONDES STREET, TYLORSTOWN, FERNDALE, CF43 3HW

**23/0845/10** Decision Date: 07/09/2023

**Proposal:** Removal of an outhouse and construction of a two storey rear extension.

**Location:** 34 FENWICK STREET, PONT-Y-GWAITH, FERNDALE, CF43 3LW

**Upper Rhydfelen and Glyn-taf**

**23/0735/10** Decision Date: 07/09/2023

**Proposal:** Redevelopment of existing farmhouse - side section of dwelling and outbuilding to be removed and replaced with new two storey extension.

**Location:** CWRT Y CELYN FARM, FFYNNONBWLA ROAD, EGLWYSILAN, PONTYPRIDD, CF37 5BJ

**23/0865/10** Decision Date: 22/09/2023

**Proposal:** New raised decking area to rear garden.

**Location:** 10 RHIW FELIN, RHYDYFELIN, PONTYPRIDD, CF37 5HJ

Total Number of Delegated decisions is 54

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**Abercynon**

**21/0731/10** Decision Date: 29/08/2023

**Proposal:** Retention of storage container

**Location:** LAND ADJ. TO 40 WALSH STREET, TYNTETOWN, ABERCYNON, MOUNTAIN ASH, CF45 4YS

**Reason: 1** The proposed development, in terms of its siting and appearance, has resulted in an unsympathetic development that detracts from the character and appearance of the wider street scene. Accordingly, the proposal is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

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**23/0699/10** Decision Date: 19/09/2023

**Proposal:** Conversion of two storey rear annexe into 2 no self-contained flats

**Location:** TYNTE HOTEL PUBLIC HOUSE, MAIN ROAD, TYNTETOWN, ABERCYNON, MOUNTAIN ASH, CF45 4YH

**Reason: 1** The proposed development would fail to provide adequate living and amenity standards for future residents which would be contrary to the principles and aims of Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the guidance set out in the Council's Supplementary Planning Guidance relating to the Development of Flats, with particular reference to accessibility and security.

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**Ferndale and Maerdy**

**23/0708/10** Decision Date: 22/09/2023

**Proposal:** Provision of self-storage container site.

**Location:** THE OLD SCHOOL HOUSE, SCHOOL STREET, MAERDY, FERNDAL, CF43 4DN

**Reason: 1** By virtue of their industrial appearance and in the context of the residential, edge of settlement location, it is considered that the proposed shipping containers and security fence would appear incongruous and have an unacceptable effect on the character and appearance of the site and the local street scene, contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

**Graig and Pontypridd West**

**23/0386/10** Decision Date: 13/09/2023

**Proposal:** Change of use from public house to dwelling, single storey extension, double garage

**Location:** QUEENS HEAD INN, LLANTRISANT ROAD, PENYCOEDCAE, PONTYPRIDD, CF37 1PY

**Reason: 1** Insufficient information and marketing evidence has been provided to demonstrate that the use of a public house at the site is unviable and insufficient information has been provided to justify the loss of a public house at this location. Furthermore, insufficient information and evidence has been provided to demonstrate that, other than residential use, there are no other viable alternative uses to secure the retention of the building. As such, the policy is contrary to Policy AW9 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales (Ed.11)

**Reason: 2** Insufficient information has been submitted to enable a full assessment of the impact of the proposal on protected species to be undertaken. The proposal is therefore contrary to Policy AW 8 of the Rhondda Cynon Taf Local Development Plan.

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**23/0790/10** Decision Date: 30/08/2023

**Proposal:** Retention and completion of rear extension with proposed terrace over ground floor rear extension

**Location:** 135 HOPKINSTOWN ROAD, HOPKINSTOWN, PONTYPRIDD, CF37 2PT

**Reason: 1** The proposed terrace, due to its design, siting and elevated setting would increase levels of overlooking and would significantly impact upon the privacy and amenities of neighbouring occupiers. As such, the development conflicts with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

**Reason: 2** The proposed terrace by virtue of its elevated setting and design would constitute an unsympathetic development which would have an unacceptable effect on the character and appearance of the site and surrounding area. As such the development conflicts with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

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**Hirwaun, Penderyn and Rhigos**

**23/0788/10** Decision Date: 04/09/2023

**Proposal:** Proposed construction of holiday let.

**Location:** AVERINA, 20 HALT ROAD, RHIGOS, ABERDARE, CF44 9UN

**Reason: 1** As a result of its position, means of access and its relationship with existing neighbouring properties, the proposed operation of the holiday let would result in an unacceptable level of disturbance to the nearby neighbours, whose levels of amenity would be adversely affected. As such, the proposal is considered to be contrary to the requirements of policy AW5 of the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales.

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**Tonyrefail West**

**23/0791/10** Decision Date: 11/09/2023

**Proposal:** Change of use from shop to flat.

**Location:** JUST LLOYDS HAIR AND BEAUTY, 16 WAUNRHYDD ROAD, TONYREFAIL, PORTH, CF39 8EW

**Reason: 1** Insufficient evidence has been submitted to demonstrate that the retention of the existing premises for business purposes has been fully explored without success by the way of marketing for appropriate retail purposes at reasonable market rates for a minimum of 12 months. As such, there is no justification for allowing the loss of a commercial unit in the retail centre of the village. The proposal is therefore contrary to Policy AW 11 of the Rhondda Cynon Taf Local Development Plan.

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**Treforest**

**23/0690/10** Decision Date: 04/09/2023

**Proposal:** Conversion of existing property to house in multiple occupation (HMO)

**Location:** 41 KING STREET, TREFOREST, PONTYPRIDD, CF37 1RR

**Reason: 1** The proposal will further exacerbate the unacceptable cumulative adverse impact on the amenities of the area as a consequence of a higher number of transient residents leading towards less community cohesion and undermining the objectives of securing a sustainable mixed use community, contrary to Policies CS2 and AW5 of the Rhondda Cynon Taf Local Development Plan and the Houses in Multiple Occupation (HMO) Supplementary Planning Guidance (2018)

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**  
**Development Control : Delegated Decisions - Refusals between: 28/08/2023 and 22/09/2023**  
**Report for Development Control Planning Committee**

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Treherbert

**23/0800/10** Decision Date: 01/09/2023

**Proposal:** Retention of veranda with erection of proposed privacy screen following refusal 22/1251/10

**Location:** 8 ELEANOR STREET, TREHERBERT, TREORCHY, CF42 5AD

**Reason: 1** By virtue of its scale, design and elevated height, the veranda has a detrimental impact upon the character and appearance of the rear of the host dwelling and wider area, resulting in an obtrusive and overbearing addition which appears incongruous within its setting. The inclusion of a privacy screen would only add to the prominence of the development and its overbearing nature. The development is therefore contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the relevant guidance set out in SPG 'A Design Guide for Householder Development (2011)' in respect of its visual appearance.

**Reason: 2** The veranda, by virtue of its elevated height, prominent location and relationship with adjacent properties, results in an overbearing impact to and direct overlooking of the neighbouring properties, significantly adversely affecting their privacy and amenity standards, an impact that the inclusion of a privacy screen would not overcome. The development is therefore unneighbourly and excessive and contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the relevant guidance set out in SPG 'A Design Guide for Householder Development (2011)' in respect of neighbour amenity.

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Total Number of Delegated decisions is 9