



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

GWŶS I GYFARFOD PWYLLGOR

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

Dolen gyswllt: Jess Daniel - Democratic Services (07385401877)

Bydd cyfarfod rhithwir o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal ar **DYDD IAU, 14EG RHAGFYR, 2023** am **2.30 PM**.

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

MAE MODD I AELODAU NAD YDYN NHW'N AELODAU O'R PWYLLGOR AC AELODAU O'R CYHOEDD [OFYN I ANNERCH Y PWYLLGOR YN YSTOD Y CYFARFOD](#) SY'N YMWNEUD Â'R MATER SYDD WEDI'I NODI. RYDYN NI'N GOFYN EICH BOD CHI'N RHOI GWYBOD AM EICH BWRIAD I SIARAD DRWY E-BOSTIO GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK ERBYN 5PM AR DYDD MAWRTH, 12 RHAGFYR 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, **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

Cadarnhau cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 09.11.23 yn rhai cywir.

5 - 10

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

5. CAIS RHIF: 22/1279

Troi hen dafarndy'n fflatiau.

GWESTY'R FULL MOON, HEOL CAERDYDD, ABERAMAN, ABERDÂR, CF44 7HH

11 - 26

6. CAIS RHIF: 23/0118

Estyniadau i greu gwesty â 10 gwely gyda bar, bwyty, mannau lles ac estyniad i'r maes parcio. Estyniad i gefn yr eiddo i gynnwys paneli solar (Derbyniwyd Arolwg Coed ar 05/06/23) (Derbyniwyd Gwerthusiad Ecolegol Rhagarweiniol ar 12/06/23) (Derbyniwyd Gwerthusiad Ecolegol Rhagarweiniol newydd ar 29/06/23) (Derbyniwyd Arolygon Ystlumod Ychwanegol ar 06/10/23)

GWESTY TŶ'R NAVIGATION, Y BASN, HEOL CILFYNYDD, ABERCYNON, ABERPENNAR, CF45 4RR

- 27 - 42
7. **CAIS RHIF: 23/0412**
Annedd newydd â phedair ystafell wely gyda garej ar wahân a dau le parcio ychwanegol.
TIR GER 4 STRYD NASH, ABERCYNON, ABERPENNAR, CF45 4PB
- 43 - 54
8. **CAIS RHIF: 23/0641**
Cydydffurfio ag amod 34 (Strategaeth Datblygiad Cynaliadwy) o 10/0845/34 (i'r graddau ag y bo'n berthnasol i Gamau 3 a 4).
TIR AR HEN SAFLE GLO BRIG A THIR I'R GOGLEDD O'R A473, LLANILID (CAMAU 3 A 4)
- 55 - 64
9. **CAIS RHIF: 23/0904**
Estyniad deulawr ar un ochr, estyniad un llawr ar yr ochr arall, trawsnewid yr atig a gwaith peirianeg i'r cefn sy'n cynnwys gwaith i wneud y tir yn wastad a grisiau mynediad.
45 STRYD Y BRYN, HENDREFORGAN, GILFACH-GOCH, PORTH, CF39 8TW
- 65 - 78
10. **CAIS RHIF: 23/1068**
Adeiladu parc sglefrio ar gyfer pob math o sglefrio – byrddau sglefrio, BMX, WCMX, sgwteri, ac ati, gyda gwaith tirlunio a draenio cysylltiedig.
PARC LLANHARI, HEOL LLANHARI, LLANHARI, PONT-Y-CLUN
- 79 - 90
11. **CAIS RHIF: 23/1115**
Datblygu 10 annedd fforddiadwy a gwaith cysylltiedig.
TIR YN HEOL Y DDERWEN, YSTRAD, PENTRE, CF41 7QQ
- 91 - 106

CEISIADAU WEDI'U GOHIRIO

12. **CAIS RHIF: 23/0514/10**
Datblygiad preswyl o 20 o fflatiau ag un a dwy ystafell wely, gyda gwaith tirlunio, trin ffiniau a mannau parcio cysylltiedig (Diwygiwyd y disgrifiad wrth dderbyn y cynlluniau diwygiedig ar 31/10/23, lleihau nifer yr unedau a chael gwared ar y llawr uchaf).
Safle'r Hen Glwb Cymdeithas y Llynges Frenhinol, 233 Stryd y Lllys, Tonypany, CF40 2RF.

ADRODDIAD ER GWYBODAETH

**13. 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 13/11/2023 – 01/12/2023.

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.

139 - 152

14. MATERION BRYS

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

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu

Cylchrediad: -

Aelodau o'r Pwyllgor Cynllunio a Datblygu:

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

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

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



PWYLLGOR CABINET CYNGOR RHONDDA CYNON TAF PWYLLGOR CYNLLUNIO A DATBLYGU

Cofnodion o gyfarfod hybrid y Pwyllgor Cynllunio a Datblygu a gynhaliwyd Dydd Iau, 9
Tachwedd 2023 am 3.00 pm

Cafodd y cyfarfod yma ei ddarlledu'n fyw, ac mae modd gweld y manylion yma

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

Y Cyngorydd S Rees (Cadeirydd)

Y Cyngorydd W Lewis	Y Cyngorydd J Bonetto
Y Cyngorydd A Dennis	Y Cyngorydd S Emanuel
Y Cyngorydd M Powell	Y Cyngorydd G Hughes
Y Cyngorydd L A Tomkinson	Y Cyngorydd J Smith
	Y Cyngorydd R Williams

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

Y Cyngorydd D Grehan

Swyddogion oedd yn bresennol: -

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

Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol: -

Y Cyngorydd Owen-Jones Y Cyngorydd M Norris

120 DATGAN BUDDIANT

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

121 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.

122 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.

123 COFNODION

PENDERFYNWYD cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 05.10.23 yn rhai cywir.

124 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.

125 CAIS RHIF: 22/1163/10

Datblygu pedwar fflat, maes parcio, gwaith tirlunio a gwaith cysylltiedig. (Derbyniwyd Cynlluniau Diwygiedig ar 04/08/23) TIR ODDI AR HEOL SANT IOAN, TONYREFAIL

(Nodwch: Ar yr adeg yma, datganodd Cyngorydd y Fwrdeistref Sirol S Emanuel fuddiant personol sy'n rhagfarnu mewn perthynas â'r cais yma a gadawodd y cyfarfod cyn y drafodaeth. "Rydw i'n gweithio i Trivallis.")

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 R Jones (Asiant)
- Mr G Evans (Gwrthwynebydd)

Siaradodd yr Aelod Lleol, Cyngorydd y Fwrdeistref Sirol D Owen-Jones, nad yw'n aelod o'r Pwyllgor, am y cais gan fynegi ei bryderon o ran y datblygiad arfaethedig.

Cynigiwyd y cyfle i'r Asiant, Mr R Jones, ymateb i'r Gwrthwynebydd ond gwrthododd wneud hynny.

Cyflwynodd Pennaeth Materion Cynllunio y cais a gafodd ei gyflwyno i'r Pwyllgor yn wreiddiol ar 9 Mawrth 2023 lle penderfynodd Aelodau ohirio'r cais er mwyn rhoi cyfle i'r ymgeisydd ddiwygio'r cynllun i fynd i'r afael â phryderon mewn perthynas ag effaith bosibl y cynllun parcio arfaethedig ar natur agored y safle.

Cyflwynodd Pennaeth Materion Cynllunio yr adroddiad pellach i'r Pwyllgor ac yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad Cyfarwyddwr Materion Ffyniant a Datblygu yn amodol ar Gytundeb Adran 106 i sicrhau bod modd i'r cyhoedd ddefnyddio'r 5 lle parcio o flaen y datblygiad am byth ac yn amodol ar yr amodau sydd wedi'u nodi yn yr adroddiad diweddaraf.

(**Nodwch:** Roedd Cynghorydd y Fwrdeistref Sirol D Grehan am gofnodi ei fod wedi pleidleisio yn erbyn cymeradwyo'r cais uchod).

(**Nodwch:** Ar yr adeg yma, dychwelodd Cynghorydd y Fwrdeistref Sirol S Emanuel i'r cyfarfod.)

126 CAIS RHIF: 23/0896/10

Dymchwel estyniadau presennol i gefn ac ochr yr adeilad, adeiladu estyniad deulawr i ochr yr adeilad ac estyniad llawr cyntaf. Mae hefyd yn cynnwys newid strwythur yr eiddo presennol a chynnal gwaith adnewyddu cyffredinol (Derbyniwyd cynllun lleoliad safle diwygiedig ar 13/09/2023) Byngalo Cartref, Lôn Hobbs, Hirwaun, Aberdâr, CF44 9BU

Yn unol â'r gweithdrefnau a gafodd eu mabwysiadu, derbyniodd y Pwyllgor Ms N Brennan (Ymgeisydd) a gafodd bum munud i gyflwyno'r cais uchod i'r Aelodau.

Nododd y Pwyllgor fod Mr B Snape (Ymgeisydd) a oedd wedi gofyn am gael annerch yr Aelodau ynglŷn â'r cais wedi gwrthod y cyfle. Nododd y Pwyllgor nad oedd modd i Ms R Smith (Gwrthwynebydd), a oedd wedi gofyn am gael annerch yr Aelodau ynglŷn â'r cais, wneud hynny o ganlyniad i broblemau technegol.

Cyflwynodd Pennaeth Materion Cynllunio y cais a gafodd ei gyflwyno i'r Pwyllgor yn wreiddiol ar 19 Hydref 2023 lle penderfynodd Aelodau ohirio'r cais ar gyfer trafodaeth bellach gyda'r ymgeisydd er mwyn goresgyn pryderon Aelodau mewn perthynas â'r cais cychwynnol, sef dyluniad blaen arfaethedig y datblygiad a'r gymhareb ffenestri i waliau yn benodol.

Cyflwynodd y Pennaeth Materion Cynllunio yr adroddiad pellach i'r Pwyllgor. Ar ôl trafod y cais, **PENDERFYNWYD** cymeradwyo'r cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, yn amodol ar yr amodau sydd wedi'u nodi yn yr adroddiad diweddaraf.

127 CAIS RHIF: 23/0969

Codi 3 annedd hunan-adeiladu pwrpasol sydd bron yn ddi-garbon o fewn cwrtill yr annedd presennol a gwaith cysylltiedig. Tŷ DEWI SANT, HEOL CASTELLAU, BEDDAU, PONTYPRIDD, CF38 2RA

Yn unol â'r gweithdrefnau sydd wedi'u mabwysiadu, derbyniodd y Pwyllgor Mr

S Courtney (Asiant). Cafodd e bum munud i gyflwyno'r cais uchod i'r Aelodau.

Cyflwynodd y Pennaeth Materion Cynllunio y cais i'r Pwyllgor. Ar ôl trafodaeth, **PENDERFYNWYD** gwrthod y cais yn unol ag argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu oherwydd y rhesymau a nodwyd yn yr adroddiad.

128 CAIS RHIF: 22/1252

Defnyddio tir ar gyfer hyfforddiant tactegau heddlu allanol gan gynnwys offer tactegau allanol, mynediad ar gyfer cynnal a chadw, tirweddu, peirianeg a gwaith seilwaith (mewn cysylltiad â chyfleuster tactegau heddlu arfaethedig ar safle cyfagos ym Mwrdeistref Sirol Pen-y-bont ar Ogwr, yn amodol ar gais cynllunio ar wahân i Gyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr) (derbyniwyd cynlluniau diwygiedig a gwybodaeth ategol ar 09/08/23, 18/08/23 a 21/08/23). TIR I'R DE O HEOL FELINDRE, PENCOED LLANHARAN

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

(Nodwch: Ymatalodd Cyngorydd y Fwrdeistref Sirol G Hughes o'r bleidlais gan nad oedd e'n bresennol ar gyfer yr holl ddatl.)

129 CAIS RHIF: 23/0945

Llwybr Teithio Llesol Rhondda Fach - Cam 2 HEN REILFFORDD FWYNAU O HEOL YR ORSAF, MAERDY, I GYFEIRNOD GRID SS 98809 97765

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

130 CAIS RHIF: 23/0979

Decin pren yng nghefn yr eiddo. 65 HEOL-Y-COED, PONT-Y-CLUN, CF72 9AT

(Nodwch: Ar ôl datgan buddiant personol mewn perthynas â'r cais (Cofnod Rhif 120), gadawodd Cyngorydd y Fwrdeistref Sirol W Lewis y cyfarfod.)

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

131 CAIS RHIF: 22/1261/10

Newid defnydd i droi sied gwartheg yn uned breswyl. (Daeth Adroddiad Clwydo Ystlumod Rhagarweiniol a phob Arolwg i law ar 17/08/23) Gorllewin Caerlan, Stryd yr Ysgol, Llantrisant, Pont-y-clun, CF72 8EN

Cyflwynodd y Pennaeth Materion Cynllunio'r cais a gafodd ei gyflwyno'n wreiddiol i'r Pwyllgor ar 5 Hydref 2023, pan gymeradwyodd yr Aelodau'r cais yn groes i argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu.

Trafododd yr Aelodau'r adroddiad pellach, a oedd yn tynnu sylw at gryfderau a gwendidau posibl cymeradwyo'r cais yn groes i argymhelliad Swyddogion. Yn dilyn trafodaeth, **PENDERFYNWYD** cymeradwyo'r cais, a hynny'n groes i argymhelliad y Cyfarwyddwr Materion Ffyniant a Datblygu, oherwydd y rhesymau sydd wedi'u nodi yn yr adroddiad pellach.

132 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 Cynllunio a Gorfodi – Apeliadau a Dderbyniwyd, Penderfyniadau Dirprwyedig – Ceisiadau wedi'u cymeradwyo a'u gwrthod gyda rhesymau, Trosolwg o Achosion Gorfodi a Phenderfyniadau Gorfodi Dirprwyedig ar gyfer y cyfnod rhwng 09/10/2023 – 27/10/2023.

Daeth y cyfarfod i ben am 4.35 pm

**Y Cyngorydd S Rees
Cadeirydd.**

tudalen wag

PLANNING & DEVELOPMENT COMMITTEE

14 December 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/1279/10 (GRD)
APPLICANT: C/O DPS Architecture Ltd
DEVELOPMENT: Conversion of a former public house into apartments
LOCATION: FULL MOON HOTEL, CARDIFF ROAD, ABERAMAN,
ABERDARE, CF44 7HH
DATE REGISTERED: 02/10/2023
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS.

REASON: The development would result in the beneficial re-use of a vacant and increasingly derelict building in a highly sustainable location. The proposed flats would provide a welcome contribution towards the local housing supply and result in a considerable improvement to the appearance of the property and street scene.

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 to convert the former Full Moon Hotel at Cardiff Road, Aberaman to provide 7 self-contained flats.

The accommodation would be arranged over all three floors of the building to include the following:

Ground Floor: 4 no. one-bedroom flats

First Floor: 1 no. two-bedroom flat and 1 no. one-bedroom flat

Second Floor: 1 no. two-bedroom flat

The main entrance and access to each ground floor flat would be from the front of the property, opening on to Cardiff Road. Entrances to the first and second floor flats would

be from the rear of the building, which would open onto the rear courtyard and parking spaces associated with the building, with access gained from Wind Street.

The submitted plans show some demolition works at the site which form part of the proposal. This includes a single-storey rear extension, which has since been demolished prior to determining this planning application, along with the removal of an outbuilding at the site.

External works include the construction of two rear extensions. The larger of the two extensions would extend approx. 2.7m from the rear of the building and would measure a width of approx. 2.7m in width. The extension would have a mono-pitch roof and would measure approx. 5.1m in height to the eaves and 7.2m to ridge. The second rear extension would be smaller, and would extend approx. 2.6m in depth, 2.7m in width and reaching a height of approx. 3.3m to the eaves and 5.2m to ridge. Both rear extensions would provide access and facilitate the construction of internal staircases to access the first and second floor flats. The extensions would have side facing doors and rear facing windows.

Other external alterations include the installation of windows to the building's southern side-facing elevation and western rear facing elevation.

Works within the wider site include the provision of 5no. car parking spaces, along with bin and bike storage provided within a yard to the rear of the building. New hedging or planting is also proposed outside ground floor windows to the front and rear of the building.

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

- Preliminary Roost Assessment
- Bat and Nesting Bird Survey Report
- Design & Access Statement

SITE APPRAISAL

The application property is a former public house and hotel, which is located along Cardiff Road in Aberaman. The site has been vacant for some time and appears to be in a state of some dereliction.

The three-storey building occupies a relatively prominent position along Cardiff Road at the junction with Wind Street. The building's principal elevation and main entrance is sited immediately adjacent and faces Cardiff Road to the east. The site is bound to

the south and west by Wind Street. A neighbouring property is sited to the immediate north of the application site.

Whilst the submitted plans show a site which is largely comprised by the footprint of the building, rear extensions have since been demolished and the rear of the site is now vacant hardstanding.

The surrounding properties are primarily residential, with some commercial uses in proximity to the application site.

PLANNING HISTORY

13/0400/10: FULL MOON HOTEL, CARDIFF ROAD, ABERAMAN, ABERDARE, CF44 7HH. *'Alterations and change of use from existing public house with guest rooms and living quarters to 9 no. apartments (Amended parking layout received 05/09/13)'*. Granted, 19/09/2013

PUBLICITY

The application has been advertised by direct notification letter to neighbouring properties and by site notice, posted near the application site. Two letters of concern were received from third parties:

- Happy that works are being undertaken at the 'unsightly' site;
- Highway Safety – parking issues;
- There are car parking issues in the area already, in particular for houses to the rear of the application site;
- Concern with the design of the parking spaces, with concerns over cars reversing from the spaces;
- Concerns with the safety of some of the car parking spaces, in particular the two opening onto Wind Street;
- Existing congestion in the street;
- Suggests that a grassed area opposite the development site is used for car parking, to help alleviate local parking problems.

Correspondence was also received from Cllr Victoria Dunn, who noted that they were supportive of 1-2 bedroom flats in the area.

CONSULTATION

Local Highway Authority

No Objection, subject to conditions. Advisory notes recommended.

Flood Risk Management

No objection, subject to conditions. Advisory notes recommended.

Public Health and Protection

No objection, subject to condition. Advisory notes recommended.

South Wales Police

No adverse comments received.

South Wales Fire and Rescue Service

No objection. Advisory notes recommended.

Waste Services

No objections.

Dwr Cymru/ Welsh Water

No objection, subject to condition. Advisory notes recommended.

Council's Ecologists

No objection subject to condition.

Natural Resources Wales

No objection. Advisory notes recommended.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

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

The application site is located within the defined settlement boundary and is unallocated for any specific purpose. The following policies are relevant in the consideration of this application:

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

Policy AW1 – Supply of Housing: focuses on the delivery of new housing and includes the development of unallocated land inside the settlement boundary.

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

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

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

Policy AW 8 – Protection and Enhancement of the Natural Environment: outlines how Rhondda Cynon Taf’s distinctive natural heritage will be preserved and enhanced by protecting it from inappropriate development

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

Policy AW11 – Existing Employment and Retail Uses: Outlines criteria for assessing development proposals promoting alternative uses for employment and retail sites.

Policy NSA1 - Development in the Principal Town of Aberdare: sets out criteria for new development within Aberdare

Policy NSA2 – Development in key Settlements: Sets out criteria for new development within key settlements.

Policy NSA10 – Housing Density: Outlines the housing density required of proposals in the Northern Strategy Area.

Policy NSA12 – Housing Development Within and Adjacent to Settlement Boundaries: sets out criteria for the consideration of development proposals within and adjacent to settlement boundaries within the Northern Strategy Area.

Policy NSA13 – Rehabilitation/ Conversion of Large Buildings: The conversion of large buildings within the Northern Strategy Area will be permitted where there is no economically viable alternative use for the building.

Supplementary Planning Guidance:

Design and Placemaking

Access Circulation and Parking

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), WGs current position on planning policy at regional and national level.

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

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

Other policy guidance considered:

PPW Technical Advice Note 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

Residential Development on unallocated land within the settlement boundary is supported by LDP Policy AW1, which also includes the conservation of suitable structures to provide housing.

The site is located within a predominantly residential area, and within settlement boundary limits and has good access to a range of shops and services, being within walking distance of the commercial centre of Aberdare. There is also good access to sustainable transport, with the property being located on a bus route. Consequently, this site would be considered a sustainable location and accords with the relevant criteria of Policy AW2.

Currently, the building is in a poor state of repair and does not make a positive contribution to the surrounding streetscape. The development proposal would resolve the evident dereliction by regenerating and making beneficial re-use of the site, which would be supported by Policies CS1, NSA13 and AW11 of the LDP. Whilst Policies NSA13 and AW11 usually require evidence to demonstrate that there are no other viable commercial uses for the site, it is considered unnecessary in this instance given the length of time that the building has been vacant. Furthermore, the Local Planning Authority granted permission for the conversion of the building to 9no. residential units in 2013 (planning ref: 13/0400/10), thus further establishing the acceptability of converting the vacant building to residential use.

The proposal would see the beneficial re-use of a building and the provision of housing in a sustainable location within settlement boundary limits. As such, the principle of development is considered acceptable. However, proposals for residential development may only be considered acceptable, providing no adverse impacts result in terms of amenity, character, and highway safety. These matters will be considered in detail in the following sections.

Quality of Accommodation

New flats should provide an acceptable quality of accommodation for residents. It is considered that the proposed flats are of a suitable size to provide space for future occupants, and the internal layouts proposed are considered acceptable. A reasonable level of outlook and natural daylight would also be provided to each flat.

The application represents the conversion of an existing building, and due to site constraints, along with areas provided at the site for car parking, refuse and bike storage, residents would not be provided with access to either a private or communal outdoor space. However, the development site is located in a sustainable location and within walking distance of accessible open spaces which is considered acceptable to compensate for a lack of outdoor space provided at the application site itself.

Impact on the character and appearance of the area

Large parts of the conversion will be undertaken within the fabric of the existing building, and the external works proposed are relatively minor.

Two extensions are proposed to the rear of the building which are subservient in height and scale to the application property. The extensions are considered acceptable in terms of design and would not harm the character or appearance of the site.

Furthermore, rear flat roofed rear extensions have since been demolished at the site and an existing outbuilding will also be removed. Consequently, the proposed refurbishment of the property and removal of extensions/ outbuildings which are in a poor state of repair would bring about an improvement visually at the site.

The development would represent an improvement to the appearance of the building as a whole and would be a positive enhancement on the street scene.

Impact on residential amenity and privacy

Most of the conversion would be undertaken within the fabric of the existing building, and as such, the outlook gained from the application property would remain largely as existing. Two small extensions are proposed, along with the installation of new windows. However, these openings would face the public highway or would face the rear of the site and would not overlook neighbouring properties.

The extensions are also subservient in scale to the application property and would be set at a sufficient distance away from other existing neighbouring dwellings as not to harm the amenities of neighbouring occupiers through overshadowing or by ways of overbearing.

Overall, the conversion and refurbishment of the building, along with the demolition of rear extensions and outbuildings would constitute an improvement to the fabric of the property and its curtilage.

It is not considered that the development would cause detriment to the amenity and privacy of neighbouring occupiers.

Highway Safety

Consultation was undertaken with the Local Highway Authority, who have assessed the proposal to determine whether the proposal would have an adverse impact upon highway safety in the vicinity of the site.

Site Location:

The application site is located on Cardiff Road (B4275), Aberaman on the outskirts of Aberdare Town Centre which offers a variety of businesses and good public transport facilities. There are bus stops a short walk from the proposed development, located on Cardiff Road.

Cardiff Road (B4275) to the east of the site has no parking restrictions on both carriageway lanes; however, residents of Cardiff Road park on the opposite side to the application site. Wind Street to the rear has parking restrictions on both sides of the carriageway to prevent indiscriminate on-street parking near road junctions.

Access:

The proposed parking would be accessed off Wind Street; however, no details of vehicle crossover/ tie in with the existing carriageway have been submitted. Therefore, the Local Highway Authority have suggested a condition accordingly.

There is also a BT box fronting the proposed off-street parking. An advisory note will therefore be attached to any consent outlining the relocation/ removal of the BT box shall be undertaken with the approval of the relevant statutory undertaker.

Parking:

The existing public house, which is currently vacant, requires in the region of 36 off-street car parking spaces for the bar and servery, 7 spaces for the guest room and 3 for staff in accordance with the SPG Access, Circulation & Parking 2011 with none provided leaving a shortfall of 46 off-street car parking spaces.

The Local Highway Authority consider that given the lack of off-street car parking facilities, and traffic regulation orders in place preventing on-street car parking taking place, that the majority of patrons of the public house would have travelled on foot or by public transport.

The proposed conversion into 5 no 1-bedroom flats and 2 no 2-bedroom flats have a parking requirement of 9 spaces for residents and 1 visitor space in accordance with SPG: Development of Flats – Conversions and New Build 2015 with 5 provided, resulting in a shortfall of 5 spaces which raises some concern.

5 units will therefore have 1 space per unit, with 2 no residential units having no off-street car parking provision.

Cycle Storage

The applicant proposes space for cycle storage; however, no details of the proposed number of storage stands have been submitted. Therefore, a condition has been suggested for 2 cycle stands to be provided in accordance with SPG: Access, Circulation & Parking Requirements 2011 to promote sustainable modes of transport.

Street Nameplate:

There is a street nameplate which will require re-locating as part of the works. An advisory note is therefore recommended advising that the street nameplate affected by the proposed access will need to be relocated in a position to be agreed by the Local Highway Authority.

Drainage:

There is concern that water run-off from the proposed parking to the rear may discharge onto the highway therefore, a condition has been suggested accordingly.

Highways Conclusion:

The Local Highway Authority have raised some concerns that the proposal would result in a shortfall of 4 no. residential car parking spaces. However, additional off-street parking has been provided at the site, with limited scope to provide additional parking due to site constraints. Additionally, the application site is a sustainable location near Aberdare Town Centre and has good access to sustainable modes of transport. Furthermore, it is considered that the previous use of the site as a public house would have generated some on-street parking, albeit for shorter periods. On balance, the Local Highway Authority have raised no objection to the proposal, subject to conditions and advisory notes.

Ecology

The application has been supported by both a 'Preliminary Roost Assessment' and a 'Bat and Nesting Bird Survey Report'. The survey results showed that no signs of bats were found during the internal and external inspection of the building. The dusk emergence surveys however confirmed that a small soprano pipistrelle day roost is present at the building. A soprano pipistrelle day roost is present, with a maximum count of one individual using one access point. The report note that the site is considered to be within a low-quality area for foraging and commuting bats. One jackdaw was also recorded as nesting within the eastern front of the building. The reports also contain several mitigation and compensation of the impacts of the development.

Following consultation with Natural Resources Wales (NRW), no objections have been raised. NRW have noted that on the basis of the submitted reports that they do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. NRW have therefore no objections to the proposal but have requested that an informative note is attached to any planning permission noting that a European Protected Species (EPS) Licence is required for the development.

The Council's ecologists have also raised no objection to the proposal following consultation and consider that the bat usage at the site is such that it is likely effective mitigation can be achieved and as a European Protected Species (EPS) Licence

would be required for the development. The Council's ecologists have recommended that details of mitigation and enhancement measures outlined within the submitted 'Bat and Nesting Bird Survey Report' be attached as a condition to any planning permission.

Overall, no objections have been received by the Council's ecologists or NRW to the proposal and the proposal is considered compliant with Policies AW8 and NSA3 of the LDP.

Drainage

Natural Resources Wales' Surface Water Flood Risk maps have been used to review the site's surface water flood risk, as per Paragraph 8 of Tan 15. The review concluded that there are areas of medium and low surface water flood risk identified surrounding the perimeter of the site. This is associated with a surface water conveyance route associated with an unnamed ordinary watercourse to the southwest of the site which flows adjacent to Maesyffynon Lane. The Council's Flood Risk Management section have also noted that during Storm Dennis in February 2020, several residential properties situated along Cardiff Road and Wind Street were internally flooded as a result of the inlet adjacent to Maesyffynon Lane surcharging. Consequently, the Flood Risk Management Section have recommended a condition be attached to any planning consent outlining how the development is to take into account the local surface water flood risk along with a strategy to ensure the structure is resilient.

To ensure surface water is appropriately managed and given the high surface water flood risk identified at the application site, the Flood Risk Management section have recommended a condition be attached which requires the developer to provide information as to how surface water will be managed and disposed of at the site.

The Council's Flood Risk Management Section have noted that under Schedule 3 of the Flood and Water Management Act 2010, the applicant may be required to submit an application to the Sustainable Drainage Systems (SuDS) Approval Body (SAB).

Welsh Water have also requested a condition be attached requiring that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. However, the works would be undertaken largely within the fabric of the existing building and the external works proposed are relatively minor, and as such, the condition would not be considered necessary. Additionally, as noted above, a condition will be attached which requires the development to provide information as to how surface water would be managed and disposed of at the site.

The proposal is considered compliant with Policy AW10 of the LDP in terms of drainage and flood risk.

Other Matters

Public Health & Protection:

The Council's Public Health and Protection Department have commented on the development in relation to the demolition of buildings, noise, dust, disposal of waste and lighting and have recommended advisory notes to advise the developer of their responsibility when undertaking construction works, along with the role of the Council's Public Health and Protection Department in relation to construction works, and specifically noise, dust, waste and lighting. The Public Health and Protection Department also consider that as a large development, the works could have an impact on local residents, in particular during demolition/ construction. As such, they have recommended a condition where the developer should submit proposals for the minimisation of noise and dust on the site prior to commencement of development along with details of a demolition/ construction programme. However, these issues would be considered to be most appropriately dealt with under other legislation, and as such, are therefore recommended as advisory notes to this planning consent.

The Public Health and Protection Department have also included advisory notes in terms of housing and licencing for the proposed residential units.

Following consultation, the Council's Waste Services Department have raised no objections to the proposal and have no objections to the refuse storage proposals shown on the plans. They have further noted that kerbside collection would be available for future occupiers of the flats.

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 lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable. Therefore no CIL would payable.

Conclusion

The development would result in the beneficial re-use of a vacant and increasingly derelict building in a highly sustainable location. The proposed flats would provide a welcome contribution towards the local housing supply and result in a considerable improvement to the appearance of the property and street scene.

RECOMMENDATION: APPROVE SUBJECT TO THE FOLLOWING CONDITIONS

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

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

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

- Planning – A3 – OS Maps – Existing and Proposed. Drawing Number 675-100. Revision C
- Planning – A3 – Proposed Site Plan. Drawing Number 675-110. Revision C
- Planning – A2 – Existing GA Plans – Page 2. Drawing Number 675-211. Revision C
- Planning – A2 – Existing GA Elevations – Page 1. Drawing Number 675-212. Revision C
- Planning – A2 – Existing GA Elevations – Page 2. Drawing Number 675-213. Revision C
- Planning – A3 – Existing GA Plans – AFTER DEMO. Drawing Number 675-215. Revision C
- Planning – A2 – Existing GA Elevations AFTER DEMO. Drawing Number: 675-216. Revision C
- Planning – A2 – Proposed GA Plans – Page 1. Drawing Number 675-250. Revision C
- Planning – A2 – Proposed GA Plans – Page 2. Drawing Number 675-251. Revision C
- Planning – A2 – Proposed GA Elevations – Page 1. Drawing Number 675-252. Revision C
- Planning – A2 – Proposed GA Elevations – Page 2. Drawing Number 675-253. Revision C

and documents received by the Local Planning Authority on 31/10/2022, 16/11/2022, 06/01/2023, 03/05/2023 and 02/10/2023 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. Building operations shall not be commenced until samples/brochure details of the type and colour of windows, doors, roof tiles and external materials

proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all windows, doors and materials used shall conform to the sample(s)/ details so approved.

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

4. The development shall not be brought into use until space has been laid out within the site for 5 vehicles to be parked in accordance with the submitted drawing No. "675-110". The spaces shall be constructed in permanent materials and retained for the parking of vehicles thereafter.

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

5. Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development on site commencing.

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

6. Notwithstanding the submitted plans the development shall not be brought into use until space has been laid out within the site for 2 cycle stands in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to development commencing.

Reason: To promote sustainable modes of transport, 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 connected to any highway drainage system.

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

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

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

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

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

10. No development shall commence until the applicant submits details to the Local Planning Authority to evidence how the development is to take into account the local surface water flood risk and outlines a strategy to ensure the structure is resilient.

Reason: To ensure the development does not increase the number of residents at risk of surface water flooding, in accordance with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

11. Notwithstanding the approved plans, development shall be carried out in accordance with the recommendations, mitigation, enhancements and required actions set out in Section 6 'Required Actions' of the Bat and Nesting Bird Survey Report (September 2023), undertaken by Acer Ecology.

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

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PLANNING & DEVELOPMENT COMMITTEE

14 December 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0118/10 (KL)
APPLICANT: EVOL (WALES) LTD
DEVELOPMENT: Extensions to create 10 no. bed hotel with bar, restaurant, welfare areas and car park extension. Rear extension to include solar panels (Tree Survey Rec. 05/06/23) (Preliminary Ecological Appraisal rec. 12/06/23) (Updated Preliminary Ecological Appraisal rec. 29/06/23)(Additional Bat Surveys Rec. 06/10/23)
LOCATION: NAVIGATION HOUSE HOTEL, THE BASIN, CILFYNYDD ROAD, ABERCYNON, MOUNTAIN ASH, CF45 4RR
DATE REGISTERED: 02/02/2023
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: Approve

REASONS: The proposed development would result in the substantial refurbishment and extension of an existing Public House which would improve the visual aesthetic of the property and the visual amenity of the area.

Whilst the rear extension is considered to be quite a sizeable addition to the property, it would be sited at the rear of the property and would have a sympathetic design that would ensure that it would not appear overly prominent within the plot or the wider area. Furthermore, the nearest neighbouring properties are situated a sufficient distance away and it is not considered that the proposal would have an adverse impact upon the amenity and privacy of neighbouring properties.

The development would also result in an increase in parking spaces at the site which would provide a betterment overall and the development is considered to be acceptable in terms of the impact it would have upon highway safety in the vicinity of the site.

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 extension and refurbishment of the Navigation House Hotel, Abercynon in order to provide a 10 no. bedroom hotel with an associated bar, restaurant and welfare areas and a landlord's residential flat. The proposal includes the following works:

Rear/Side Extension

The largest extension would be situated at the rear of the property. Due to changes in ground level at the site, the extension would be built into and over the raised plateau at the eastern part of the site. Overall, the rear element of the extension would measure a maximum of 10.4 metres in width by 16 metres in depth. The ground floor would extend behind the existing single storey extension to the southern elevation but would not project any further than its side elevation. The roof above the newly extended single storey extension would be replaced with a hipped roof structure that would measure a maximum of 5.6 metres in height, sloping to 2.9 metres at the eaves.

The roof of the main rear extension would be of a dual pitch design which would tie in with the existing roof structure of the main building (maximum of 9.2 metres from the lowest ground level).

Front Extensions

The existing porch to the front elevation would be replaced with a new entrance porch measuring 6 metres in width by 2.4 metres in depth with a mono-pitch roof measuring a maximum of 3.9 metres in height. It would be constructed using timber columns with glazed screen walls supporting a slate roof. The entrance doors would be solid timber.

A further extension would be constructed to the front/side elevation at the northern corner of the property (above an existing single storey projection). The new addition would measure 2 metres in width by 5.3 metres in depth with a flat roof design that would measure 5.5 metres in height.

The extensions would be finished with cream painted render to match the existing building whilst the roof structures would be finished with blue grey slates with terracotta ridge and hip tiles.

Accommodation and Use

The proposed extensions, along with a number of internal alterations, would provide additional floor space to enable the existing building to be used as a hotel with an

associated bar/restaurant at ground floor and a landlord's flat at second floor. Overall, the proposed accommodation, as extended, would consist of the following:

- **Basement:** Bicycle store, barrel store, bottle store and store.
- **Ground Floor:** Public bar, family lounge, lounge bar and restaurant, kitchen, servery, glass wash and food store areas, customer toilets and plant room.
- **First Floor:** A meeting/function room, 7 no. en-suite bedrooms and a linen store.
- **Second Floor:** 3 no. en-suite bedrooms and living accommodation for the landlord which would incorporate a lounge, kitchen, bathroom and 2 no. bedrooms.

It is noted that the property has been used as a Public House/restaurant with a landlord's flat and family/playroom above for many years. The existing A3 use at ground floor would be retained, along with the ancillary C3 residential landlord's accommodation (moved from first to second floor) however, the proposal would introduce a new C1 Use Class (Hotel) to the site.

Car Park and Cycle Parking:

The proposal includes an extension to the existing car park area with the existing and extended area being resurfaced and laid out to increase the number of car parking spaces from 18 to 29. Two of the spaces at the southern end of the car park would include EV charging points.

Secure cycle parking would also be provided within the basement of the property with access being from a secure door off the service ramp. The facility would provide frames into which up to 10 no. bicycles can be fitted and locked.

Other Works:

Solar panels would be installed upon the south facing roof slope of the proposed rear extension.

A small gable feature would be introduced to the south facing side of the main building to replace an existing flat roof.

A new canopy would be introduced above a secondary entrance to the front elevation, serving the proposed lounge bar/restaurant.

The roof above the existing two-storey side extension at the northern side of the building would also be replaced and increased in height from 8.7 metres in height to 9.5 metres in height to the ridge. The eaves height would remain the same.

A new external fire escape and associated steps with roof canopy would be located off the proposed rear extension.

A number of internal arrangements would be made to provide a better, more accessible layout and a new lift and central staircase serving all three floors would also be introduced.

The existing outdoor amenity areas to the front and side of the property would be retained and laid to patio to provide outdoor seating areas. The area of trees to the rear would be largely retained and maintained. Details submitted with the application indicate that a small number of trees would be felled to facilitate the proposed rear extension.

The existing windows would be replaced to match the new windows proposed within the extensions.

The application is accompanied by the following supporting document:

- Planning Statement;
- Tree Survey (May 2023)
- Preliminary Ecological Survey (June 2023)
- Dusk Emergence Survey (October 2023)

SITE APPRAISAL

The application site relates to an existing Public House, known as the Navigation House Hotel, which is situated on the eastern edge of the settlement of Abercynon. The building is a prominent detached structure which is set within an irregular shaped plot to the eastern side of Cilfynydd Road. The building is set back and up from the road by a small, raised patio area with further enclosed amenity areas being situated to the southern side and eastern rear elevations. A service area and car park which both serve the application property lie immediately to the northern side elevation.

The surrounding area is characterised by both residential and commercial properties with the nearest neighbouring property being St. Thomas RC Church on the opposite side of Cilfynydd Road to the west. A number of residential properties are located approximately 35 and 40 metres away in Martin's Terrace to the west and south-west whilst a number of commercial properties (Council Depot and industrial units) and Abercynon Fire Station are located approximately 70 metres to the north.

PLANNING HISTORY

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

PUBLICITY

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

CONSULTATION

The following consultation responses have been received (summarised):

Ecology: No objection, condition recommended for the mitigation and enhancement measures set out in Section 4 of the Preliminary Ecology Assessment and Section 6 of the October 2023 Acer Ecology Dusk Emergence Survey Report. A further condition is recommended for a Habitat Management Plan.

Flood Risk Management: No objection, condition recommended (discussed in more detail in the *Land Drainage* Section below).

Glamorgan-Gwent Archaeological Trust: No objection. There are no known buried archaeological features or findspots within the area of the proposed development. Whilst the building dates from c1791 (built as the headquarters and offices of the Glamorganshire Canal Company), the building became a hotel from around 1880 and it is considered that a number of changes will have occurred internally over this period. As such, it is unlikely that significant original features remain.

Highways and Transportation: No objection, conditions recommended (discussed in more detail in the *Access and Highway Safety* Section below).

Natural Resources Wales: No objection.

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

South Wales Fire and Rescue Service: No objection, standard advice provided.

South Wales Police: No objection. Advice and recommendations provided.

Welsh Water: No objection, conditions recommended for details of a grease trap to be installed at the site, and also for no surface water to be drained directly or indirectly to the public sewerage system.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application property is situated within the defined settlement boundary however, the rear aspect of the site crosses the settlement boundary line and therefore lies

outside of the settlement boundary. The following policies are considered to be relevant in the determination of this application:

Policy CS1 (Development in the North) – emphasis on building strong, sustainable communities which will be achieved by promoting commercial development in locations which will support and reinforce the roles of the key settlements and by promoting the re-use of under used and previously developed land.

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

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

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

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

Policy AW14 (Safeguarding of Materials) – safeguards resources of sandstone from development which would unnecessarily sterilise them.

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.

Supplementary Planning Guidance

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

National Guidance

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local

Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

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

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

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

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology

SE Wales Policies

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retail and Commercial Development;
PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 13: Tourism;
PPW Technical Advice Note 18: Transport;
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

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

Main Issues:

Principle of the proposed development

The application site relates to the extension of an existing Public House which is set within a substantial plot on the outskirts of Abercynon. The site straddles the settlement boundary with the existing building and car park being situated inside the defined settlement boundary and the area immediately to the east being located outside. The proposed rear extension, as a result of it being located on the eastern rear elevation of the property, would largely be located outside of the defined settlement boundary however, it would relate to an existing building and the principle of constructing an extension to enhance the existing provision is therefore considered to be acceptable.

In terms of the proposed use, the scheme would retain the existing A3 use at ground floor, which is considered acceptable. National Planning Policy acknowledges the important role that public houses can provide communities and schemes to retain and enhance such facilities are generally considered to be acceptable. The proposal would improve and enhance the existing facilities by providing better access for less abled bodies and also providing 10 no. ancillary en-site hotel rooms and a meeting/function room which would make better use of the site.

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

Impact on the character and appearance of the area

The proposed rear extension would form a sizeable addition to the property however, given its siting and the fact that it would not extend beyond the side elevations of the main three-storey building or the existing single storey side extension, it is not considered that it would impact upon the principal elevation of the property. Furthermore, the extension would tie in with the roof structures of the existing buildings and would be finished with appropriate materials to match the existing building. As such, the proposed extension would be proportionate to the scale of the existing building and the site in which it would sit, and it is therefore not considered that the development would appear overly prominent within the surrounding area.

The proposed extensions to the front elevation (the porch and the first-floor extension at the northern corner) are both considered to be appropriate to the scale and design

of the existing building and with a finish that would match the existing property, it is not considered that either would appear overly prominent within the context of the site.

Furthermore, the property would be substantially refurbished throughout and it is considered that the works would greatly improve the visual aesthetic of what is considered to be a prominent building and subsequently its impact upon the visual amenity of the surrounding area.

As such, it is not considered that the proposal would have an adverse impact upon the character and appearance of the existing property, the site or the wider area and the application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

The application site is situated some distance away from the nearest neighbouring residential properties and it is not considered that the proposed development would have an adverse impact upon the amenity or privacy currently enjoyed by those properties.

The bulk of the works would be situated to the rear of the property where the nearest property (Former Juboraj restaurant building on A470) is situated at a higher ground level over 100 metres away to the north-east. Given this relationship and the vast covering of trees between the two sites, the development would not be visible from that property.

Whilst properties to the north and north-west of the site are situated in closer proximity to the site (approximately 35 metres and 40 metres respectively), these distances are still sufficient to ensure that the physical works to the front/sides of the application property would not have any adverse overbearing, overshadowing or overlooking impact.

It is noted that the A3 element of the proposal (bar/restaurant) could result in some degree of noise and disturbance as a result of its use however, the property has been used as Public House for many years and it is therefore not considered that the impact would be significantly greater than the existing situation. Furthermore, the Council's Public Health and Protection team have not raised any concern in this regard, nor have any noise surveys or mitigation measures been requested.

In light of this, it is not considered that the proposal would have an adverse impact upon the amenity and privacy of neighbouring properties and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this regard.

Access and highway safety

The application has been assessed by the Council's Highways and Transportation section and no objection has been raised with regards to the impact of the proposed development upon highway safety in the vicinity of the site (subject to conditions).

The comments indicate that the site is accessed via the B4275 (Cilfynydd Road) and that no changes would be made in this regard. Internal alterations would be made within the site to enhance pedestrian access for less-abled bodied pedestrians, which is considered to be acceptable.

In terms of parking, the existing site includes a tarmac hardstanding which is marked out to provide for 18 no. car parking spaces. These spaces serve the existing public areas however, on the basis of the existing accommodation provided, a total of 61 spaces are required (current shortfall of 43 spaces). The proposal includes an extended car park area with the plans indicating a layout of 29 no. car parking spaces. It is indicated that the proposed development would require 58 no. spaces (shortfall of 29 spaces).

On this basis, the proposed development requires 3 no. parking spaces less than the existing situation however, the new car parking provision accommodates 29 no. spaces, which is a betterment of 14 no. spaces.

Furthermore, two of the spaces at the southern end of the car park will include electric charging points whilst a total of 10 no. secure cycle stands would also be provided.

Overall, whilst there is some concern that the car parking for the proposed development is below the required standards, taking into account that the application property is an existing facility, that the proposal would provide a betterment of 14 no. spaces to that currently available, and that the site is situated in a highly sustainable location, the proposal is, on balance, considered to be acceptable. As such, the proposal is considered to be acceptable in terms of the impact it would have upon highway safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues:

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

Land Drainage

The application has been assessed by the Council's Flood Risk Management team and no objection is raised to the proposal in terms of surface water drainage. The comments indicate that the construction area is greater than 100 square metres and, as such, under Schedule 3 of the Flood and Water Management Act 2010, the applicant will be required to submit a separate application to the Sustainable Drainage

Systems (SuDs) Approval Body. It is further advised that the applicant will also be required to comply with Part H of the Building Regulations.

It is indicated that the site/proposed extension area does not fall within an area of surface water flood risk however, it is noted that there is an ordinary watercourse behind the properties at Martin's Terrace to the west of the site and also a culvert network along the highway to the rear of the site (east). Both identify high, medium and low surface water flood risk but neither impact upon the site.

Details provided within the application indicate that surface water will be disposed of using SuDs and the main sewer however, no relevant surface water drainage proposals have been provided for review. A condition is therefore recommended to secure a site surface water drainage strategy to outline the pre and post discharge rate and a general arrangement of the proposed drainage layout.

Ecology

Protected Species

The application is accompanied by a Preliminary Ecological Appraisal (dated June 2023) and a Dusk Emergence Survey Report (October 2023) which have both been reviewed by Natural Resources Wales (NRW) and the Council's Ecologist. The Dusk Emergence Survey Report found no evidence of bats roosting within or on the external parts of the building and no evidence of bats using the wall in the car park, nor did it find any evidence of nesting birds. On the basis of the findings of the reports, neither NRW or the Council's Ecologist have raised any objection to the proposal however, a condition is recommended for the mitigation and enhancement measures for both bats and birds, as detailed in Section 4 of the Preliminary Ecological Appraisal and Section 6 of the Dusk Emergence Survey Report. A further condition is recommended to secure further mitigation/enhancement measures in the form of a Habitat Management Plan for the woodland to the rear of the site (outlined in blue).

Impact on Trees

The proposed works seek to retain most of the existing ecological features within the site with the majority of trees on the eastern plateau being retained. A Tree Survey has been undertaken which identifies a limited number of trees to be removed and also details of what works are to be carried out to the undergrowth and existing shrubs as well as details of all replacement planting.

The information has been assessed by the Council's Ecologist who has indicated that the woodland mitigation and biodiversity enhancement details set out within the submitted details (i.e. tree planting) would not be particularly effective ecological mitigation/enhancement and it is recommended that a much better mitigation/enhancement delivery would be for better management of the woodland to the rear of the site through a long-term Habitat Management Plan.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application would result in an existing prominent building being substantially refurbished and extended to provide a 10 no. bed hotel with an associated bar/restaurant at ground floor which would serve both local people and visitors to the area. The site is set within a sustainable location and within easy reach of Abercynon town centre and the wider area and the principle of the development is considered to be acceptable.

Whilst the rear extension is considered to be quite a sizeable addition to the property, it would be sited to the rear of the property and would have a sympathetic design that would ensure that it would not appear to be overly prominent within the plot or the wider area. Furthermore, the nearest neighbouring properties are situated a sufficient distance away and it is not considered that the proposal would have an adverse impact upon the amenity and privacy of neighbouring properties.

The development would also result in an increase in parking spaces at the site which would provide a betterment overall and the development is considered to be acceptable in terms of the impact it would have upon highway safety in the vicinity of the site.

RECOMMENDATION: Approve, subject to conditions

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans received by the Local Planning Authority on 05 May 2023, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 0968/108: Site Location Plan
- Drawing No. 0968/230 Rev. A: Proposed Basement Plan
- Drawing No. 0968/231: Rev. F: Proposed Ground Floor Plan

- Drawing No. 0968/0232 Rev C: Proposed First Floor Plan
- Drawing No. 0968/233 Rev C: Proposed Second Floor Plan
- Drawing No. 0968/234 Rev B: Proposed Roof Plan
- Drawing No. 0968/235 Rev B: Proposed Front and Side Elevations
- Drawing No. 0968/236 Rev B: Proposed Rear and Side Elevation
- Drawing No. 0968/238 Rev B: Proposed Site Layout
- Drawing No. 0968/0239 Rev A: Proposed Hotel Plan

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

3. Before the development is brought into use the means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted site plan 0968/238B approved by the Local Planning Authority. The car parking spaces shall remain thereafter for the parking of vehicles in association with the proposed public house / hotel.

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

4. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) A drainage strategy with associated calculations demonstrating the pre and post-development surface water discharge rates from the site and a general arrangement of the catchment and proposed drainage system.
 - ii) How the development is to comply with the requirements of Section 8.3 of PPW Technical Advice Note 15.

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

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

5. The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have been submitted to and approved in writing by the local planning authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason: To protect the integrity of the public sewage system and ensure the free flow of sewage.

6. Notwithstanding the submitted details, prior to the commencement of the development, a habitat management plan that ensures delivery of ecological mitigation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:

- The ecological purpose, aims and objectives of the scheme.
- A review of the site's ecological potential and constraints.
- Description of target habitat features and species.
- Selection of appropriate strategies for achieving target habitat and species mitigation and enhancement.
- Selection of specific nature conservation techniques and practices for
- Sources of habitat material.
- Method statement for the restoration of vegetation.
- Extent and location of proposed works.
- Aftercare and long-term woodland management.
- Personnel responsible for works.
- Timing of works.
- Annual HMP project timetable.
- Habitat and Species Monitoring
- Disposal of arisings.

All works will be carried out in accordance with the approved details. Any amendments to the Habitat Management Plan required as a result of ongoing monitoring shall be submitted to and approved in writing by the Local Planning Authority prior to their implementation.

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

7. The development shall be implemented in accordance with the mitigation and enhancement measures set out within Section 6 of the submitted Dusk Emergence Survey Report (By Acer Ecology, dated October 2023).

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

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PLANNING & DEVELOPMENT COMMITTEE

14 December 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0412/10 (JE)
APPLICANT: Blackbrook Developments Ltd
DEVELOPMENT: New four bedroom dwelling with detached garage and two additional parking spaces
LOCATION: LAND ADJACENT TO 4 NASH STREET, ABERCYNON, MOUNTAIN ASH, CF45 4PB
DATE REGISTERED: 17/04/2023
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: APPROVE

REASONS: The principle of development is acceptable, and proposal would bring a vacant site 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.

REASON APPLICATION REPORTED TO COMMITTEE

- 3 or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for the construction of a 4 bedroom detached dwelling along with a detached garage and parking spaces at Land adjacent to 4 Nash Street, Abercynon. The dwelling would be located at the site of an existing detached garage that would be demolished.

The dwelling would be located towards the front of the site to tie into the existing property line along Nash Street and would measure a width of 6 metres by a depth of 8.2 metres. The proposed dwelling would have a dual pitched roof design with gable ends on its side elevations measuring a maximum height of 8.8 metres sloping to 5.3 metres at the eaves.

The proposed garage would be located towards the southern boundary of the site to the rear of the proposed dwelling and would measure a width of 3 metres by a depth of 5 metres. The garage would have a double pitched roof design measuring a maximum height of 3.2 metres sloping to 2.4 metres at the eaves. To the front and alongside the garage would be 2no. off-street parking spaces that would be accessed from the highway at Llys Ty'r Twyn.

The dwelling would incorporate living accommodation over three floors with a kitchen/diner, lounge and W/C on the ground floor, three bedrooms and a bathroom on the first floor. A further bedroom would be sited on the second floor.

SITE APPRAISAL

The application site forms an irregular shaped parcel of land located adjacent to No.4 Nash Street, Abercynon. The site is located on the corner of Nash Street and Aberdare Road and is bounded by highways to the south, north and west. No. 4 Nash Street is located directly to the east. The site currently accommodates a detached garage and an area of hardstanding which benefits from dropped kerbs along Nash Street and Aberdare Road. The site slopes from south to north with an approximate one metre change in levels across the site.

The general character of the locality is residential in nature comprising traditional terraced dwellings, although it is noted that a development of 4no. large modern detached dwellings are located to the south.

PLANNING HISTORY

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

07/1763/13: LAND ADJACENT TO NASH STREET, ABERCYNON

Two detached properties (outline application)

Decision: 12/12/2007, Refuse

08/1190/13: LAND ADJACENT TO 4 NASH STREET, ABERCYNON

Detached dwelling with off street parking.

Decision: 06/10/2008, Grant

14/0121/10: TYR TWYN COURT, NASH STREET, ABERCYNON, MOUNTAIN ASH, CF45 4PB

Construction of four detached private dwellings with attached garages and associated external works and extension of residential curtilage for 6 Tressilian Place (Amended description and plans received on 4th February 2014).

Decision: 01/04/2014, Grant

PUBLICITY

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

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

- Highway safety associated with the proposed access.
- Parking and deliveries during the construction period.
- Issues associated with the construction of the dwelling.
- Loss of privacy.
- Access to gable end of adjacent property.
- Bluebells on site which are protected.

CONSULTATION

Transportation Section: No objection subject to conditions.

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

Countryside (Ecology): No objection raised.

National Grid: Standard consultation response setting out that a separate application to National Grid would be required should the developer require a new connection or a service alteration.

Welsh Water/Dwr Cymru: No objection although condition recommended in relation to surface water drainage.

Flood Risk Management (Drainage): No objection although condition recommended in relation to surface water drainage.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

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

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

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

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

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

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

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

Policy NSA12 – sets out the criteria for the consideration of development proposals within and adjacent to settlement boundaries.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking

National Guidance

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

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

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

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

Other national policy guidance considered:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the construction of a detached dwelling and garage at land adjacent to 4 Nash Street, Abercynon. The application site is located within the defined settlement boundary and a residential area of Abercynon, and is unallocated. As such, the application complies with Policies CS1, AW1 and NSA12, all of which support the provision of new housing on unallocated sites within and adjacent to settlement boundaries within the Northern Strategy Area.

The site is also located within walking distance of a number of local services and facilities and is within close proximity to public transport links with bus and train connections nearby. As such, the site is located within a sustainable location and is considered to comply with Policy AW2 of the LDP.

As such, taking the above into account, the principle of development is considered acceptable, subject to the below criteria.

Impact on the character and appearance of the area

The submitted site layout plan indicates the site is large enough to accommodate the proposed dwelling whilst also retaining sufficient amenity space and off street parking.

Whilst the proposed dwelling would form a visible addition to the site and the immediate area, it would be sited on a relatively spacious plot, adjacent to an existing terraced dwelling with a highway and access lane flanking the western and southern boundaries respectively. The proposed dwelling would have a similar layout and orientation to the adjacent, terraced properties. As such, it is not considered that the proposal would form a dominant or incongruous feature within the area. In addition, the redevelopment of the site would result in a positive impact to the area surrounding the site and would bring a disused site of an unkempt appearance back into beneficial use.

Members are advised that the application currently lacks sufficient information in relation to landscaping and boundary treatments. Nevertheless, it is considered that these matters could be controlled via suitably worded conditions.

In light of the above, it is considered that the proposal will not detract from the character or appearance of the area and that the application is compliant with the relevant requirements of Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

With regard to the impact upon No.4 Nash Street immediately to the east, given the location of the proposed dwelling, directly alongside the existing neighbour, the proposed dwelling would not be visible from within the adjacent property and would not result in any undue overshadowing or overbearing impacts. Whilst views would be possible from the rear amenity space of No.4, it is not considered that any impact would be significant and would be no different to that which occurs at most other properties within the area.

When considering the impact upon properties along Aberdare Road to the west, these dwellings would be separated by approximately 14 metres and elevated above the application site. As such, whilst there would be views towards the proposed development, any impact would not be significantly greater than that which already exists between properties within the vicinity.

Turning to overlooking, an issue raised by the objectors, when considering the terraced nature of properties surrounding the site a mutual level of overlooking has been established between surrounding neighbouring properties. As such, it is not considered that the proposal would exacerbate existing levels of overlooking and the scheme is considered acceptable in this regard.

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 Highways and Transportation Section were consulted in order to provide comments on the suitability of the application with regard to highway safety and parking provision. The following response was received:

Access

Primary access to the proposed dwelling will be served off Nash Street with off street car parking served off the rear lane. Nash Street is acceptable as a primary means of access for vehicles and pedestrians taking into account the limited additional movement generated by 1 additional dwelling.

To the rear the off-street car parking will be served off the lane which is lightly trafficked acceptable in access terms. There is an existing vehicular crossover in place to serve the proposed off-street car parking provision.

The footway surrounding the site has two existing vehicular crossovers which will become redundant as part of the proposal and should be reinstated in full footway construction in the interests of pedestrian safety. A condition to this effect has been suggested accordingly.

Vision

There is concern that the proposed boundary treatment fronting Aberdare Road slightly impacts on the required vision splays from Nash Street and the lane, but there is sufficient space within the site to provide appropriate vision splays. Therefore a condition is suggested to ensure the required vision splays from both streets is implemented in accordance with Manual for Streets and TAN 18 for a 20Mph speed limit, 2.4m x 22m.

Parking

The proposed 4-bedroom dwelling requires up-to a maximum of 3 off-street car parking spaces in accordance with the SPG Access, Circulation & Parking 2011 with 3 provided, which is acceptable in this instance given the highly sustainable nature of the site.

Taking the above into account, the proposed will have minimal impact on the existing highway network and is considered acceptable in highway safety terms, subject to a number of highway related conditions.

Ecology

It is noted that the objectors raised concerns with the presence of bluebells at the site which would be removed following development. In this respect the Council's Ecologist has advised that the protection afforded to native bluebells is from being 'dug up and sold' as bulbs, and that native bluebells are not afforded protection from the impacts

of development. Native bluebells occur in natural habitats, not often in urban situations, it is more likely that the bluebells visible at the site were Spanish bluebells which is a common garden plant that escapes into urban edge situations and are not afforded any protection. As such, no objection is raised subject to a condition requiring the submission of biodiversity enhancement measures.

Other issues raised by the objectors

The objectors set out concerns with regard the impacts upon parking, noise and disturbance through the construction period. It is appreciated that the noise and disruption from development on adjacent land, as well as the use of accesses via established residential areas, can be extremely trying for existing residents, despite the best efforts of a developer. However, whilst understandably unwelcome, the construction period of a development is a relatively short term process and disruption from that cannot be considered as a sustainable reason to refuse a development.

An objector raised a number of concerns with regard the proximity of the new dwelling to No.4 Nash Street which could result in issues around the ability to access and maintain the gable end of the neighbouring property. Whilst this concern is acknowledged, this issue would form a civil matter between the owner of No.4 and the developer of the site. The Council's Building Control team have also confirmed that the proximity of the development to No.4 would require a party wall agreement prior to works commencing on site which would address this issue. As such, an informative note has been included below to advise the applicant of these requirements.

Public Health

No objections have been received from the Council's Public Health and Protection Division in respect of the application, they did however suggest a number of conditions be attached to any consent in relation construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, dust and waste matters can be more efficiently controlled by other legislation. Therefore, it is considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient in this instance.

Drainage

Following consultation, the Council's Flood Risk Management team and Dwr Cymru Welsh Water raised no objection to the application. However, both consultees requested a condition be attached to any consent with regard surface water drainage. Nevertheless, as this development would require separate SAB approval which would cover this issue, it is not considered that such a condition would be reasonable or necessary.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

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

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 numbers
 - NS-01 – Received 13/04/2023
 - NS-02 – Received 13/04/2023
 - NS-03 – Received 13/04/2023
 - NS-04 – Received 13/04/2023
 - NS-05 – Received 13/04/2023
 - NS-06 – Received 13/04/2023

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. 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. Notwithstanding the submitted plans, prior to the commencement of any development on site, details of the boundary treatment fronting Aberdare Road set back to maintain a vision splay of 2.4m x 22m from the adjacent junctions of Nash Street and Llys Tyr Twyn shall be submitted to and approved in writing by the Local Planning Authority. The development should be carried out in accordance with the approved plans and retained thereafter.

Reason: To ensure that adequate visibility is provided for vehicles exiting the adjacent junctions, in the interests of highway and pedestrian safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. The parking area shall be constructed in permanent materials and retained for the purposes of parking only.

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

6. The 2no. existing vehicular crossovers serving the existing site now redundant as part of the proposal on Nash Street and Aberdare Road shall be reinstated in full flexible footway construction in accordance with details to first be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

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

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

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

The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure that the new development will be in keeping with the surrounding area and to protect residential amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall commence on site until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

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

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

11. No Development shall commence on site until a scheme for biodiversity mitigation and enhancement has been submitted to and agreed in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

Reason: To ensure a positive impact upon biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

14 December 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0641/38 (MF)
APPLICANT: Persimmon Homes West Wales
DEVELOPMENT: Discharge of condition 34 (Sustainable Development Strategy) of 10/0845/34 (insofar that it relates to Phases 3 and 4).
LOCATION: LAND AT FORMER OPEN CAST COAL SITE AND LAND TO THE NORTH OF THE A473, LLANILID (PHASE 3 & 4)
DATE REGISTERED: 19/06/2023
ELECTORAL DIVISION: Brynna and Llanharan

RECOMMENDATION: Approve and discharge the pre-commencement elements of condition 34 (insofar that it relates to Phases 3 and 4 of the wider development).

REASONS: The Sustainable Development Strategy report details the sustainability credentials of the proposed residential development in line with both local and national planning policy guidance. It outlines the design ethos and sustainable development aspirations of the development and sets out that the vision for the scheme is one which embodies good design principles, reflecting the local character of the area, and which seeks to embed core principles of energy and resource conservation, water management and sustainable transport into the foundations of the scheme.

The Report does factor in the sustainability benefits of the proposed Llanharan bypass which, to date, has not been brought forward, however, the recent Welsh Government Roads Review has effectively put a stop to all new road schemes in Wales taking any decision to bring the bypass forward out of the Council's hands at this time. It is therefore considered that it would be unreasonable to delay the discharge of the condition on this basis alone, especially when the rest of the Report is appropriate and acceptable; and with the general sustainability of the site having long been established as acceptable through the granting of both the original outline and subsequent reserved matters approvals.

It is therefore considered the Sustainable Development Strategy report generally demonstrates compliance with the requirements of Condition 34 and subsequently, the pre-commencement elements of condition 34 can be discharged (insofar that it relates to Phases 3 and 4 of the wider development).

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from local Ward Member, Councillor David Evans, so that Committee can consider the content of the Sustainable Development Strategy report.

APPLICATION DETAILS

This application seeks the discharge of condition 34 attached to planning permission ref. 10/0845/34, insofar that it relates to Phases 3 and 4 of the wider comprehensive development at Llanilid.

In 2010 a planning application (10/0845/34) was submitted to the Council for redevelopment of the former Open Cast Coal Site, Llanilid together with land to the north of the A473. The application sought both outline and full planning permission for a large scale, phased development comprising residential development of up to 1,850 dwellings; neighbourhood centre to include Class D1 and D2 community/leisure facilities, Class D1 medical centre, Class D1 primary school, Class A1, A2 and A3 retail/services/food and drink floorspace; B1 office/commercial floorspace; new drainage, services, transport and highways infrastructure, strategic landscape areas and public open space. The application was approved on 28/01/2016.

Condition 34 of that consent requires the developer to submit to the Local Planning Authority (LPA) for approval, prior to any development commencing on any particular phase of development, a Sustainable Development Strategy (SDS) report in respect of that phase. The objective of the condition is to demonstrate that appropriate sustainable design principles have been adopted and implemented by the developer. Specially condition 34 states:

“34. No development comprising the erection of residential and/or commercial development (buildings) shall commence in respect of any phase (or part thereof) (as approved pursuant to condition 20), the subject of the particular reserved matters submission pursuant to condition 16, before a Sustainable Development Strategy (SDS) report has been submitted to and approved in writing by the Local Planning Authority, in respect of either that phase or the whole development. The SDS report shall have regard to matters of energy efficiency and the efficient use of other resources and seek to minimise the use of non-renewable resources and minimise the generation of waste and pollution, where practically possible and viable; the conclusions of the report shall be implemented in full within the development.

Reason: In order to secure accordance with Policy AW6 of the Rhondda Cynon Taf Local Development Plan.”

Pursuant to condition 34, an SDS has been submitted to the LPA for approval in respect of Phases 3 and 4 of the wider development at Llanilid. Members are advised that condition 34 has already been discharged in respect of Phases 1 (05/03/20) and 2 (30/11/21) of the wider development and that further discharge of condition applications would have to be submitted in respect of any future phases of development that may come forward.

The SDS submitted is a comprehensive document that identifies how outline design proposals for the site have sought to address key issues of sustainable development. It has been structured to address the core themes and policies within both the LDP and national planning policy relevant to sustainable development. The Report is split into the following sections which each providing an in-depth assessment of the scheme in those respects:

- High Quality Design, including Inclusive Design, Place Setting and Heritage.
- Resource Conservation, including Landscape and Biodiversity.
- Flood Risk and Water Resource Management.
- Transport, Connectivity and Accessibility.
- Energy Strategy.
- Waste and Pollution Minimisation.

SITE APPRAISAL

A full site appraisal was carried out at the time the existing planning permission was determined and it is considered that there are no changes that are relevant to this proposed discharge of condition application.

PLANNING HISTORY

The site is subject to a substantial planning history, much of which relates to the discharge of conditions attached to the original hybrid planning permission and subsequent reserved matters approvals and non-material amendments to the same (several of which are currently being considered). There is also a substantial planning history in respect of the former open cast coal site use. As such, only the previous planning applications that are considered relevant to this development, the main permissions since the granting of the hybrid planning permission for redevelopment of the site and the earlier discharge of condition 34 applications, are detailed below:

21/1258/38 – Discharge of condition 34 (Sustainable Development Strategy) of 10/0845/34 (insofar that it relates to Phase 2 of the development)
Decision: Granted, 30/11/2021

19/1258/16 – Reserved Matters application for new primary school and associated infrastructure including access and landscaping (submitted pursuant to outline (hybrid) planning permission 10/0845/34).

Decision: Granted 23/11/23

19/1082/16 – Reserved Matters application for Phases 3 and 4 of Parc Llanilid (submitted pursuant to outline (hybrid) planning permission 10/0845/34) to include 494 no. residential units and associated infrastructure.

Decision: Granted 22/12/21

19/1081/16 – Reserved Matters application for Phase 2 of Parc Llanilid (10/0845/34) to include 421 no. residential units and associated infrastructure.

Decision: Granted 19/05/21

19/0646/38 – Discharge of conditions 33 (Travel Plan) and 34 (Sustainable Development Strategy) of previous planning application 10/0845/34.

Decision: Granted, 05/03/20

18/0334/16 – Reserved Matters application for 1st phase of Parc Llanilid (10/0845/34) to include 216 residential dwellings and associated landscaping, re-profiling, access and highway works and subsequent discharge of conditions (16, 20, 21, 25, 26, 31, 35, 36, 37, 48 as imposed on 10/0845/34).

Decision: Granted 24/04/19

10/0845/34 – Comprehensive phased development comprising: residential development of up to 1,850 dwellings; neighbourhood centre to include Class D1 and D2 community/leisure facilities, Class D1 medical centre, Class D1 primary school, Class A1, A2 and A3 retail/services/food and drink floorspace; B1 office/commercial floorspace; new drainage, services, transport and highways infrastructure, strategic landscape areas and public open space (all matters reserved). Full details for new spine road and access onto A473, drainage infrastructure and the creation of development plateaus to serve the first phase of the development.

Decision: Granted 28/01/16

Reserved matters submissions (pursuant to 10/0845/34) have also been made in respect of the subsequent phases of development as follows, however these applications currently remain under assessment and are yet to be reported to Committee for Members consideration and determination:

19/1200/16 – Reserved matters application for the erection of 607 dwellings, associated infrastructure (Phases 5, 6, 7 and 8).

19/1299/16 – Development of the Parc Llanilid mixed use area comprising A1, A2, A3 and D1 uses, a community building, a neighbourhood equipped area of play, 30 no. dwellings, 20 no. affordable flats and associated infrastructure.

PUBLICITY & CONSULTATION

None undertaken. Members of the public are not required to be consulted on the discharge of conditions attached to existing planning permissions; and as the condition relates solely to planning policy matters, it is not considered the views of any statutory consultees are required.

It is noted however that both local Ward Member, Councillor David Evans, and Llanharan Community Council (LCC) have commented that they would object to the discharge of the condition if the proposed Llanharan Bypass and associated works are not first brought forward. This is because elements of the SDS set out that the proposed bypass road and associated pedestrian and cycle links would help improve the wider Llanilid development's overall sustainability, and without the proposed infrastructure facilities, both the Local Member and LLC consider the SDS would be invalid.

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 04 January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 04 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24 September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site is located inside of the settlement boundary at Llanilid and forms an element of the wider strategic site at the former OCCS, Llanilid which is allocated for the construction of between 1950 – 2100 dwellings, 2500m² net retail floor space, a medical centre, library / community facility, a new primary school and associated public open space (Policy SSA9 refers).

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

Policy CS3 – in order to promote sustainable growth this policy allocates a number of specific 'Strategic Sites' across the County Borough for the development of a mixture of large scale residential, employment, retail and recreational purposes. The former OCCS, Llanilid, Llanharan is identified as site no. 8 (Policy SSA9).

Policy CS4 – sets down the requirement for the development of new dwellings within the County Borough during the Plan period. Of the 5,000-5,450 units identified to be provided across the Strategic Sites the Llanilid site should provide 1,950-2,100.

Policy CS5 – confirms the need for the housing requirements identified in Policy CS4 to contribute to the provision of affordable housing over the plan period.

Policy CS8 – identifies the implementation of a strategic transport corridor management system in 3 strategic corridor areas, including the A4119/A473 Corridor.

Policy AW1 – identifies the requirement for the provision of 14,385 new dwellings within Rhondda Cynon Taf within the plan period. It is confirmed that this will be met, in part, (1.) by the allocations of the LDP.

Policy AW2 – supports development in sustainable locations which includes sites that are within the defined settlement boundaries, are accessible by a range of sustainable transport modes, have good access to key services and facilities, and would not unacceptably conflict with surrounding uses.

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

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

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

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

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

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

Policy SSA6 – sets out the criteria for development in the Key Settlement of Llanharan. Supporting paragraph 6.127 states “Through the identified Strategic Site at Llanilid, which includes large-scale residential and commercial proposals, Llanharan will continue to experience significant new development. The Council recognises that new development must be supported by appropriate local services and infrastructure in order to meet the needs of the existing and future community.”

Policy SSA9 – allocates the site (as a Strategic Site, as identified under Policy CS3) for the development of between 1950 – 2100 dwellings, together with provision of 2500m² of retail floor space, a medical centre, library/community centre, a new primary school and associated public open space.

Policy SSA11 – identifies the need for new residential development to achieve satisfactory levels of build density.

Policy SSA12 – identifies the need for new developments of 5 dwellings or more to provide 20% affordable housing.

Policy SSA15 – in accordance with Policy CS7 land is allocated at the Llanilid Strategic Site for 2,500sq.m. (net) of retail development floor space.

Policy SSA18 – identifies that in addition to the highway schemes identified under Policy CS8 land will be safeguarded and provision made for the development of the strategic highway network in the Southern Strategy Area, including (as no.1) the A473 Llanharan Bypass.

Supplementary Planning Guidance

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

National Guidance

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

Planning Policy Wales Edition 11 (PPW) was issued in 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, although it should form the basis of all decisions.

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

- Policy 1 – Where Wales will Grow
- Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 3 – Supporting Urban Growth and Regeneration
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

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.

Discharge of Condition 24 (Sustainable Development Strategy), insofar that it relates to Phases 3 and 4 of the wider development at Llanilid.

As set out above, the application site is located inside of the settlement boundary at Llanilid and forms an element of the wider strategic site at the former OCCS which is allocated for the construction of between 1950 – 2100 dwellings, 2500m² net retail floor space, a medical centre, library / community facility, a new primary school and associated public open space (Policy SSA9 refers).

Both the principle and detail of the residential development at these particular phases has already been established through granting of the original outline (10/0845/34) and subsequent reserved matters (19/1082/16 – Phases 3 and 4) consents; the sustainability of the development being a key factor in those decisions, and being considered acceptable.

Therefore, the overarching question of *‘whether this development / site is sustainable or not’* has already been addressed, with the original allocation and subsequent planning permissions clearly highlighting that it is. The purpose of this condition is to instead seek to ensure that appropriate design principles have been adopted to address sustainability.

In response to the condition the SDS submitted outlines how the current masterplan for the scheme addresses the relevant policies of the LDP and national guidance, specifically setting out that a high-quality design has been realised which will result in a healthy, inclusive and cohesive community. It is therefore considered the Report is sufficient to demonstrate compliance with the requirements of the condition and that the pre-commencement elements of the condition can be discharged. A brief overview of how this conclusion was found is set out below:

The Report identifies that the site is located to optimise access to the surrounding pedestrian and cycle networks, public transport, local amenities, and the facilities at the nearby town and city centres. The different phases of development would be connected through separated and shared pedestrian/cycle routes and an extension and improvement of the local bus network through the development centre is proposed. This complies with the remainder of the wider Llanilid development masterplan and follows the development principles agreed as part of the original hybrid outline/full consent.

It is advised that the developer is fully committed to responding proactively to addressing the challenges of climate change and a reduction in greenhouse gas emissions will be achieved through the sustainability targets the business has set itself.

The development site is not located in an area at risk of fluvial or tidal flooding, with the localised areas at risk of surface water flooding addressed through the already approved drainage strategy.

Open green spaces will be provided within the development, representing recreational spaces for residents and connectivity for the fauna and flora of the site. These spaces, along with sustainable transportation throughout the development layout, will provide opportunities for recreation and leisure for future residents. Public spaces will also be accessible for all and the site layout will ensure natural surveillance.

Local culture and heritage are represented through building form and the materials palette. The use of an appropriate materials pallet will ensure that the building designs are in keeping with the local character. It is also noted that landmark buildings and public art installations will be located throughout the wider development.

Impact of the proposed Llanharan Bypass road being / not being constructed

The SDS highlights that the proposed Llanharan Bypass road would help to boost the sustainability of the site through the introduction of active travel routes, relying on the provision of the road for certain elements of the Report's overall justification. As Members will be aware however, to date, no scheme has come forward for the proposed bypass road.

The provision of the road forms an element of Policy SSA9 and therefore without being brought forward, both the Local Member and LCC believe the SDS is invalid and should not be approved.

While these comments are acknowledged, and it is accepted that the SDS does factor in the sustainability benefits of the proposed bypass, at this time the Council cannot confirm whether the remaining section of the bypass will be constructed or not. Welsh Government's (WG) recent Roads Review has effectively put a stop to all new road schemes in Wales taking any decision to bring the bypass forward out of the Council's hands at this time. It is advised that the Council is still keen to deliver the bypass and is working with WG to seek ways to overcome the objections in the Roads Review, but there is currently no timescale as to when the Council may be in a position to bring any scheme forward.

In light of this fact, it is considered that it would be unreasonable to delay the discharge of the condition when the rest of the SDS is appropriate and acceptable, and also when the general sustainability of the site has been already long been established as acceptable through the granting of both the original outline and subsequent reserved matters approvals; and additionally, because the building of any new road issue is currently out of the Council's control and there is no timescale as to when a solution may be brought forward.

Therefore, while the concerns of the Local Member and LCC are appreciated, and the introduction of the bypass and associated additional active travel routes would undoubtedly improve the sustainability of the Llanilid development and the existing area, the SDS is generally considered acceptable and appropriate to allow discharge of the condition.

Conclusion

The SDS details the sustainability credentials of the proposed residential development in line with both local and national planning policy guidance. It outlines the design ethos and sustainable development aspirations of the development and sets out that the vision for the scheme is one which embodies good design principles, reflecting the local character of the area, and which seeks to embed core principles of energy and resource conservation, water management and sustainable transport into the foundations of the scheme.

It is accepted the Report does factor in the sustainability benefits of the proposed Llanharan bypass which, to date, has not been brought forward, however, the recent Welsh Government Roads Review has effectively put a stop to all new road schemes in Wales taking any decision to bring the bypass forward out of the Council's hands at this time. It is therefore considered that it would be unreasonable to delay the discharge of the condition on this basis alone, especially when the rest of the SDS is appropriate and acceptable, and with the general sustainability of the site having long been established as acceptable through the granting of both the original outline and subsequent reserved matters approvals.

It is therefore considered the SDS generally demonstrates compliance with the requirements of Condition 34 and subsequently, the pre-commencement elements of condition 34 can be discharged (insofar that it relates to Phases 3 and 4 of the wider development).

RECOMMENDATION: Approve and discharge the pre-commencement elements of condition 34 (insofar that it relates to Phases 3 and 4 of the wider development).

PLANNING & DEVELOPMENT COMMITTEE

14 December 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0904/10 (HB)
APPLICANT: Mrs Abbie Davies
DEVELOPMENT: Two storey extension one side, one storey extension the other, attic conversion and engineering works to the rear to include ground levelling and access steps.
LOCATION: 45 HILL STREET, HENDREFORGAN, GILFACH-GOCH, PORTH, CF39 8TW
DATE REGISTERED: 08/09/2023
ELECTORAL DIVISION: Gilfach-goch

RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS

REASONS:The development would provide improved living conditions at the dwelling for its occupants. While it is accepted the works would result in a degree of impact the amenity standards currently enjoyed by the adjacent properties, it is not considered any potential impact would be significant enough to warrant refusal of the application. Furthermore, it is not considered the development would have any impact upon the character and appearance of the site or surrounding area.

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

REASON APPLICATION REPORTED TO COMMITTEE

The Service Director, Prosperity and Development considers that the nature of the proposal warrants the involvement of the Planning and Development Committee given the previous application at the same site was determined by the Planning and Development Committee, and because an agent (on behalf of objectors) spoke at the earlier Committee meeting.

APPLICATION DETAILS

Full planning permission is sought at the property for a single storey extension to the eastern side, a two story extension to the western side, raising of the ridge line, and engineering works in the rear garden area to create two level, terraced areas of

amenity space. Some minor ground works would also be undertaken at the front of the property to create an off-street parking area.

Members are advised that this application follows the refusal of an earlier application at the property, ref. 22/1464/10, which sought a similar development (single storey extension to eastern side, two storey extension to western side, raising of ridge line, and engineering works in the rear garden area to create two level, terraced areas of amenity space). The previous application was refused because it was considered the development would result in an unacceptable detrimental impact to the amenity standards of the adjacent properties. Specifically, it was considered the two storey side extension would result in a significant degree of overbearing impact to the adjacent neighbouring property to the north-west, no. 47; and views from the upper section of the terraced garden area would result in an unacceptable degree of overlooking to the adjacent neighbouring properties.

In an attempt to overcome the previous concerns the applicant has amended the scheme by reducing the width of the two storey extension to increase the distance between it and adjacent property; and by reducing the height and depth of the upper tier of the rear garden area and including privacy screens at either side. Some minor alterations have also been made to the proposed internal arrangements / site layout.

Specifically, this current scheme proposes the following:

- A single storey extension to the eastern side of the host property that would measure 10.5m in length, extending from the front of the property by 2m, by 3.7m in width at the front, reducing to 3.1m at the rear. The addition would incorporate a pitched roof design to 3.8m in height. Due to differences in ground levels at the site, falling from front to back, some ground works are required here, beneath the proposed single storey extension, to provide a level floor slab. The ground level would be increased by a maximum of approximately 1m at the rear elevation. All external materials used would match that of the host property (as near as possible).
- A two storey extension to the western side of the host property that would be set back from the front elevation by 0.15m, measuring approximately 8.4m in length by 2.6m in width, a 0.4m reduction in width from the previous scheme. The property's ridge line would be increased by 0.5m, from 7.6m to 8.1m in height to provide habitable living space in the attic. The two storey addition would be extended up to the new, increased ridgeline. Given the differences in ground levels at the site detailed above, some ground works would also be required beneath the proposed two storey extension, to provide a level floor slab. The ground levels would again be increased by a maximum of approximately 1m at the rear elevation. All external materials used would match that of the host property (as near as possible).

Members are advised the north-west wall will be approximately 3.3m to the closest elevation of number 47 Hill Street, and the south-west edge 6.8m from the closest elevation of 47 Hill Street. It must be noted the above measurements are approximate values only.

- Various ground works were undertaken at the site, without the necessary planning permission, prior to submission of the previously refused application. Two separate, terraced garden areas were created, an upper tier at the slab level of the dwelling measuring approximately 17.8m in width by 6.3m in depth, and a further, lower area towards the rear of the garden set down from the upper tier by 2m and measuring a maximum of approximately 18m in width by 10m in depth at the rear boundary. An associated retaining wall was constructed in-between.

The earlier application sought to retain the ground levels as constructed but was refused for the reasons detailed above. Between the refusal of the previous application and submission of this current application the applicant has (approximately) reinstated the original ground levels at the site which still comprise two separate terraced areas, but of reduced scale and height to that created without planning permission – an upper tier 0.95m below the slab level of the dwelling that projects from the rear of the dwelling by 2.4m and spans the width of the dwelling; and a lower tier 1.5m below the upper tier that falls away from the retaining wall in-between.

The applicant now seeks to again alter the original ground levels at the site, creating a terraced garden area of two tiers, but of reduced scale and height to that created previously without planning permission. The first, upper tier would remain 0.95m below the slab level of the dwelling but the depth would be extended to 4.3m across the whole width of the property. Two sets of access steps from the dwelling to this upper tier would be created and a 1.8m high timber screen would be installed along the north-western edge facing the adjacent property no. 47. A 1.1m high balustrade would be sited along the rear edge facing the garden.

A second lower tier would be created 1.5m below the upper tier spanning the remainder of the garden area. Given the difference in ground levels across the site the rear of this lower tier would be raised by approximately 700mm to create level space. 1.8m high timber fencing would be erected around.

- Some minor ground works would be undertaken at the front of the property to create an off-street parking area.

Members are advised that additional plans were received on 08/09/23. These included additional sections through the rear garden to confirm levels and the inclusion of

screening at the top garden tier. Some minor inaccuracies with the labelling on the plans were also updated.

SITE APPRAISAL

The application property is a two-storey detached dwelling set in an irregular shaped plot within the residential area of Gilfach Goch. It is set back from the highway to the front and is finished with render and a pitched roof. There is amenity space to the front and rear, with a retaining wall constructed within the centre of the rear garden which does not benefit from planning permission (subject of this application). The site is set upon a hill, with the ground levels significantly dropping off from the house to the south and west. As such the rear curtilage boundary is significantly lower than the dwelling's ground floor level as is the side boundary to the adjacent property to the north-west, no. 47 Hill Street. No. 43 Hill Street at the opposite side is set at a higher ground level. Abutting the rear curtilage boundary are the rear gardens of adjacent properties at Cambrian Gardens which are sited at a lower ground level.

The dwelling is one of three detached dwellings at the end of Hill Street which are each of different scales, design and appearance. However, the remainder of the street scene is comprised of semi-detached dwellings of the same design and scale.

PLANNING HISTORY

22/1464/10: Single storey side extension, two storey side extension and rear raised patio and associated works.

Decision: Refused, 25/07/2023.

PUBLICITY

The application has been advertised by means of direct neighbour notification. Multiple letters of objection have been received from the occupiers of the adjacent property, no. 47 Hill Street, summarised below:

- Overdevelopment/ impact on the character and appearance of the area.
- Amenity impact: overlooking, privacy, loss of light, overbearing.
- Unauthorised clearance of hedges and trees.
- Unauthorised engineering works.
- Drainage issues.
- Inadequate off-street parking provision.
- Inaccurate plans and application forms.
- Ecology concerns.

4 letters of support from surrounding neighbours have also been received, summarised below:

- Works improve the character and appearance of the dwelling and area.
- Increased daylight provision to neighbours by removing overgrown trees.

CONSULTATION

Highways and Transportation – No objection subject to conditions in respect of the vehicle crossover construction details and to restrict surface water from entering the highway drainage system.

Flood Risk Management – No objection subject to condition requiring full site drainage arrangements be submitted to the Local Planning Authority for approval.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

The site is within the settlement boundary for Gilfach Goch but is not allocated for any specific purpose.

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

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

Supplementary Planning Guidance

- Design and Placemaking
- A Design Guide for Householder Development
- Access, Circulation and Parking Requirements

National Guidance

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

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

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

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

Other national policy guidance considered:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the extension of and garden works and a driveway at an existing residential dwelling, required to enhance the living conditions of occupiers. As such, the principle of development is considered acceptable, subject to compliance with the below criteria.

Impact on the character and appearance of the area

The objectors have raised concerns with the potential terracing effect the extensions might have, a lack of subservience/ scale of the extensions, conflicting finishes, and the single storey addition not being set back from the front of the host dwelling, which they comment are all issues contrary to the Council's householder design guide SPG.

Engineering works

The engineering works would result in two terraced levels within the rear garden area comprising an area of amenity space at the lower level and a patio at the higher level. These elements of the scheme would not be visible from the principal elevation and would not be overly prominent from any neighbouring properties. Furthermore, this type of development is typical of the area. As such, the general impact of stepping the rear amenity space upon the character and appearance of the area is considered acceptable.

Boundary Treatments

The proposal includes a 1.8m high fence along the side and rear curtilage boundaries. These are consistent with the wider street-scene and would be of a height allowable under permitted development rights without the requirement for planning permission. As such, the scheme is also considered acceptable in this regard.

Extensions

The extensions are not considered to have a significant impact upon the character and appearance of the area for the following reasons:

While the single storey side extension would protrude from the existing principal elevation forming a visible feature in the street, it would be of a relatively minor scale and height, not dissimilar to development usually allowed via permitted development and similar to many other extensions throughout the County Borough. Furthermore, while projecting from the front of the dwelling, it would not extend past the building line of the adjacent property which would reduce any prominence. As such, it is not considered that it would have any undue visual impact.

The attic conversion would increase the ridge height by only 0.5m, which is considered relatively minor and would not appear overly noticeable when taken in the context of the wider development. As such, it is and not considered this element of the scheme would have any undue impact upon the character and appearance of the site or surrounding street scene.

The proposed two-storey side extension, whilst considerable in scale, would not be located within a prominent view in the overall street scene. With a neighbouring dwelling directly to the side elevation it would be largely screened from wider views. Further, the addition would be set back from the front elevation of the host property

and there would be a 0.5m gap between the side elevation and site boundary which would limit any potential terracing effect. It is also noted that given the orientation of the application property and the neighbouring no. 47, which are set at oblique angles from one another, any future side extension development by no. 47 would not likely be in a consistent building line to the proposed development, which would again limit any terracing effect.

Finally, the external appearance of all additions will match the existing dwelling as near as possible and there is subsequently no concern in this respect.

With regard overdevelopment of the site, while it is accepted a considerable amount of development would take place, the property is set within a large plot capable of accommodating the works leaving sufficient amenity space being retained. There are subsequently no concerns in this regard.

Therefore, whilst there will undoubtedly be an impact upon the character and appearance of the existing dwelling/site and the surrounding street scene, it is not considered any impact would be significant enough to warrant a refusal on visual grounds.

Impact on residential amenity and privacy

Comments have been submitted by the objectors which raise concerns regarding residential amenity including overbearing, loss of light and loss of privacy. An assessment of the works in respect of the potential impacts upon the amenities of neighbours is set out below:

Engineering works and terrace

There is an existing level of overlooking present within the site, from both the side elevation first floor windows and the historic rear amenity space ground levels which have been realised by the removal of trees along the western boundary of the site.

The top-tier of the raised patio has been reduced in depth since the previous scheme and now includes a 1.8m high screen to the western side, adjacent to no. 47. It would now project only 1.9m beyond the historic depth of 2.4m which, when taken with the proposed screening, is considered would not result in significantly more overlooking than that which could currently occur. It is acknowledged that the screening will be visible from 47 Hill Street, but is considered sufficient distance would remain to not impact the outlook from the neighbouring property significantly.

Whilst it is noted there will be an element of overlooking from the sets of steps to no. 47, this would not be often or for an extended period of time given the transitory nature of such features. Further, any overlooking from the steps would be partially screened by the proposed boundary treatments and would not be dissimilar to the historic levels of overlooking that would have previously occurred.

There will be an increased level of overlooking to the gardens of the adjacent properties to the rear at Cambrian Terrace, but again, given the hillside nature of the area there is already a degree of overlooking to these properties from the site and it is not considered the levels of overlooking that would be created here would be significant enough to warrant refusal of the application. Additionally, the lower tier will be screened by a boundary treatment and the top-tier patio is over 21m from the rear elevation of 35 and 37 Cambrian Gardens. Furthermore, Members are advised that no objections have been received from the occupiers of these properties.

Finally, no. 43 is located a higher ground level and it is therefore considered no undue impact would occur to this property.

Therefore, while it is accepted the upper patio will inevitably result in a degree of overlooking to the adjacent properties, it is considered the reduction in depth since the previous scheme and the use of appropriate screening would overcome the previous concerns.

Two storey extension

The comments received from objectors relate to loss of light, overbearing and impact of amenity enjoyed from habitable rooms.

There will be an impact upon the light received to no. 47, however, this would generally be during short periods of time in the morning only and would not impact the rear garden amenity space substantially. Additionally, there are no side elevation windows proposed which will reduce the current level of overlooking already present from the existing side elevation windows that are at the first-floor level of the dwelling. Whilst the attic conversion has not been assigned a specific purpose, there are no windows proposed in the side elevations. Therefore, there are no significant concerns with regards to the level of overlooking or loss of light from the extension.

The extension will move the side elevation of the property 2.6m towards no. 47 Hill Street at a height of at 8.1m from the existing ground level, providing a minimum gap of 0.5m at the front elevation to the curtilage boundary extending to 2m at the rear of the dwelling. As such, there will undoubtedly be an impact to outlook from no. 47. However, it is considered the reduction in width has reduced any potential impact to acceptable levels, and the relationship would be similar to that at many other properties in the area. Therefore, on balance, the reduction in width from the previous scheme would ensure the extension does not result in an unacceptable level of overbearing impact.

Single storey extension

The single storey extension is relatively minor in scale and height and would not impact upon the amenity or privacy of neighbours.

Driveway

Comments have been received setting out that the driveway would result in a loss of outlook from no. 47. Whilst it is acknowledged the driveway will be visible from no. 47, given the very nature of a driveway, it is not considered it would have any impact upon the neighbouring property's outlook.

Summary

Through the reduction in depth of the upper patio area and the inclusion of appropriate screening, it is not considered the overall level of overlooking would be increased significantly over current levels. Whilst there will be an impact to the outlook from no. 47, it is considered the reduction in width of the two storey extension would ensure any impact would not be significantly overbearing.

Therefore, on balance, it is considered the previous concerns in these respects have been overcome, and that the development would not result in an unacceptable impact upon the levels of amenity currently enjoyed by neighbours. The scheme is therefore considered compliant with Policy AW5 of the Local Development Plan in terms of any impacts upon neighbour amenity.

Highways and Parking

Comments have been received from the objectors with regards to potential highway safety issues, mainly in respect of an increase in bedrooms and associated parking/access provision.

The Highways and Transportation department have been consulted on the matter and are satisfied with the proposal given the site is in a sustainable location and because the parking provision proposed is in line with the maximum parking standards set out in the adopted SPG. Therefore, subject to standard conditions being included with any consent relating to surface water drainage and the crossover/footway construction details, no objections are raised.

While the objectors have commented otherwise, the Highways and Transportation department comments are, and have been available to view on the Council's website since being produced.

Therefore, from a Highway's context, the application is considered acceptable.

Drainage

The objectors commented that they have concerns with the site drainage arrangements and that no such details have been submitted with the application. Following consultation the Flood Risk Management (FRM) team raise no objection to

the scheme subject to a condition being added to any consent requiring the site drainage details be submitted to the LPA for approval. It was noted that it is unclear whether SAB approval would be required given the nature of the garden works, however, the condition would overcome any concerns as any drainage scheme would have to detail sustainable drainage methods. A condition to this effect is set out below.

Landscaping

In relation to landscaping and planting there is an area assigned adjacent to the south-west curtilage boundary top tier patio. To ensure an appropriate planting is considered a planting condition is recommended to be inserted ensuring a landscaping scheme is to be submitted to the LPA for approval.

Other Matters

Removal of trees

Comments have been received from the objectors raising concerns on the ecological impact of the development, through the removal of trees on site. Whilst it is regrettable that trees have been removed, no trees within the site were protected and the applicant did not require any permissions to remove them.

Retrospective works impact

Comments have been received from the objectors with regards to the retrospective nature of the garden works. Whilst it is regrettable that works have commenced without the necessary planning permissions, any applicant is entitled to apply for planning permission retrospectively, albeit at their own risk. Should planning permission be refused, further enforcement investigation would be undertaken.

Application Form Details and Inaccurate Plans

Comments have been received from the objectors with regards to inaccuracies on the application form and the existing plans. The application forms are correct and sufficient detail has been provided to understand what is proposed. Further, Local Planning Authorities are minded to apply a proportionate approach in the amount of information required and where the information is a matter of subjective judgement the quality of the information should have no bearing on the validity of the application for the purpose of Article 22 of the DMPWO.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

The extension and associated garden works are considered to comply with the relevant policies of the Local Development Plan in respect of the impact they would have upon the character and appearance of the application property and surrounding area and upon the amenity and privacy of existing neighbouring properties.

RECOMMENDATION: GRANT, SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the approved plans and documents received on 07/08/2023 and 08/09/2023 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Application form
- CD.01: Site Location Plan
- CD.02: Existing Ground Floor
- CD.03: Existing First Floor
- CD.04.d: Proposed Ground Floor
- CD.05.c: Proposed First Floor
- CD.06.c: Proposed Second Floor
- CD.07.c: Existing and Proposed Site Plan
- CD.08: Existing Elevations
- CD.09.d: Proposed Elevations
- CD.11.a: Existing Boundary Elevations
- CD.12.b: Proposed Boundary Elevations
- CD.13.c: Proposed Boundary Site Plan
- CD.14.b: Existing and Proposed Garden Section
- CD.15.c: Lower Garden Elevations

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

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

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

3. Notwithstanding the details shown on the submitted plans, no further development shall commence until design and details showing the

reinstatement of the existing vehicle crossover as footway and construction of the new crossover have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial use.

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

4. The existing vehicular crossover shall be reinstated in full flexible footway construction in accordance with details to first be submitted to and approved in writing by the Local Planning Authority prior to any further works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

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

5. No further development shall commence until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into beneficial use until the drainage arrangements have been completed in accordance with the approved details.

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

6. Within 6 months of the decision a comprehensive scheme of landscaping shall be submitted to the LPA, which shall include indications of all existing and proposed trees (including spread and species) and hedgerows on the land and details of any to be retained or planted together with measures for their protection during the course of development.

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

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

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

PLANNING & DEVELOPMENT COMMITTEE

14 December 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1068/10 (GH)
APPLICANT: Llanharry Community Council
DEVELOPMENT: Construction of skate park for all skate disciplines - Skateboards, BMX, WCMX, Scooters etc, with associated landscaping and drainage works
LOCATION: LLANHARRY PARK, LLANHARRY ROAD, LLANHARRY, PONTYCLUN
DATE REGISTERED: 25/09/2023
ELECTORAL DIVISION: Llanharry

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The location of the proposed skate park within Llanharry Park is one where it would be least likely to have a detrimental impact on the amenity of the closest neighbouring occupiers and would not affect the openness of the remaining public space.

Furthermore, the skate park would be beneficial to the wellbeing of younger members of the community where there is clearly a demand and currently an absence of an easily accessible alternative facility.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received

APPLICATION DETAILS

Full planning consent is sought for the construction of a skate park on land within Llanharry Park.

The skate facility would be located in the north-eastern corner of the park and with landscaping and access would incorporate a surface area of approximately 989m², with a skateable area of 314m².

The skateable part would be constructed from freeform concrete, which would enable a range of features to benefit skates, including ramps, pipes, ledges and rails, with the maximum height of any structure being 1.5m.

The design includes soft landscaped banks to the rear of each raised feature, as well as a shingle drain leading to a small infiltration basin. The skate park would be accessed via a path of crushed stone, which would link to an existing path which bisects the site.

Lastly, the plans demonstrate that two benches and litter bins would be provided, but the site is not proposed to be lit.

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

- Drainage Infiltration Report and Plan
- Design and Access Statement
- Details of community consultation

SITE APPRAISAL

The application site comprises an area of maintained grassland within a public recreation space known as Llanharry Park.

The Park is located towards the centre of Llanharry and comprises relatively flat ground with a gentle fall towards the north. The wider site includes a Community Centre and Car Park, basketball court, formal children's play area and a football pitch.

Part of the Park limits to the north and east abut the settlement boundary, but there are a range of residential properties to the west, on the opposite southern side of Llanharry Road, and to the east towards the entrance to The Patch.

There are no specific policy or environmental constraints identified, however there are two Scheduled Ancient monuments within 150m of the red line boundary of the proposed skate park.

PLANNING HISTORY

There are no recent or relevant applications on record relating to this part of Llanharry Park.

PUBLICITY

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

Eight letters of objection and one letter of support have been received raising the following matters:

Anti-social behaviour/crime

- Increased littering – bins are not used and rubbish, including broken glass and even used condoms have been left.
- Drinking and use of drugs – there is often a strong smell of weed which can carry some distance and into properties. Alleged drug-dealing is taking place in the park
- The site and surrounding already suffers from antisocial behaviour with gangs of up to 30 youths congregating. Residents have been verbally abused and the Community Hall staff have had to clear up broken glass due to bottles being thrown and broken outside.
- Given the current behavioural challenges focussed on the shelter and basketball court, adding a skate park is only going to make these issues worse.
- Older children are already coming from other areas to use the park and motorbike have been using the park and lanes around nearby houses as a circuit.
- If approved, the site should be fenced and locked at 9pm.
- There has been no evidence of the park being monitored by the Community Council and PSCOs
- Vandalisation will also be another factor, it won't stay nice for long, the youths of the village have already set fire to the cage on a number of occasions. The Community Council have just recently said that they may have to take the shelter down as it is being misused.
- Public urination from adults and children occurs because there are no toilet facilities.
- Noise pollution from the number of people gathering on site and portable stereo systems. Children have been shouting and screaming late into the evening which means that sitting out in the garden has not been pleasant and doors have had to remain closed.

Other issues

- There is an absence of any mining maps showing underground workings so this may have an impact on land stability.
- The park would be a visual intrusion
- The use of this area of grass, used by families and young children, would be lost.
- The provision for young people in the area is poor and the site chosen is relatively far from many properties and yet in plain sight, also close to the park and fields. I urge officers and Members to consider the needs of young people and not be unduly influenced by the small but vociferous view that youths gathering bring noise and litter and no provision should be made for them.

Non-material matters

- There may be a covenant preventing such development.

CONSULTATION

Cadw

The development would not harm the setting of the nearby Scheduled Ancient Monument GM346.

Flood Risk Management

The applicant will be required to submit an application to the Sustainable Drainage Systems (SuDS) Approval Body (SAB). The applicant is also required to comply with Part H of the building regulations.

Natural Resources Wales' Flood Risk maps have been reviewed, which demonstrate that the site does not fall within an area of surface water flood risk.

The Applicant has outlined that surface water will be disposed of via SuDS and has provided a relevant surface water drainage strategy. This will ensure that surface water will be appropriately managed and disposed of onsite and the discharge rates show the watercourse can cope with an increase in flows.

Public Health and Protection

Conditions are recommended in respect of hours of operation, noise, dust and waste. However, it is considered that these matters will either fall within the scope of the Construction Method Statement recommended further below, or can be controlled by existing Public Health powers.

Natural Resources Wales

No objection.

Dwr Cymru Welsh Water

No objection.

Sport Wales

As the construction of the skate park doesn't involve the loss of any sports pitches, Sport Wales has no objection.

Countryside Section – Ecologist

The area is a maintained playing field and thus the ecology impact will be very small.

South Wales Police

Concerns are raised relating to anti-social behaviour problems within and adjacent to the park area and that any new facility would need to be securable and safe for users.

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 for Llanharry

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 AW7 - Developments which impact on sites of historical merit will be permitted only where they preserve or enhance the character and appearance of the site.

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

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

Policy 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 Place-making
- Nature Conservation

National Guidance

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

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

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

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

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

- Policy 2 – Shaping Urban Growth – Sustainability / Placemaking

SE Wales Policies

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 16: Sport Recreation and Open Space;
PPW Technical Advice Note 24: The Historic Environment;

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the construction of a skate park within the curtilage of Llanharry Park.

The Park occupies a sustainable location towards the centre of Llanharry, which is both within the settlement boundary and where it can be easily accessed, on foot, by the majority of youngsters who would be likely to use it.

As an existing public park, where there is already a range of leisure or sports facilities and Llanharry Community Hall close by, this kind of use has been long established and the skate park the sort of development that might be expected in such a place.

The proposal is therefore considered acceptable, in principle, subject to compliance with the relevant criteria set out below.

Impact on the character and appearance of the area

Being of a relatively small footprint and low height, compared to the scale of the wider Park area and the other facilities within it, the structures which would form the main features of the skate park would not be considered to have any significant degree of prominence.

Furthermore, the skate park would be located in a corner of the park directly to the north of the basketball court and where its northern and eastern boundaries benefit from some screening by trees, hedge and scrub

Consequently, it is considered the skatepark structure would be seen as a natural extension of the existing development at the Park and the relatively minor works proposed would not be detrimental to its character and appearance.

Historic Environment

The consultation response provided by Cadw recognises that the skate park would be located some 60m south of scheduled monument GM346 Two Round Barrows, Naboth's Vineyard, which comprises the remains of two earthen built round barrows dating to the Bronze Age (c. 2300 - 800 BC). The northern barrow measures approximately 30m in diameter by 0.5m high. The southern barrow measures 27m in diameter by some 1.3m high. Removal of part of the northern barrow in 1929 during road-widening revealed a cist containing short-necked beaker and human remains.

Bronze Age funerary and ritual monument are thought to have been located so that they had views to and from neighbouring funerary monument, prominent natural features, and associated settlement sites. No associated monuments are known from the immediate vicinity and therefore the significant views are restricted to those connecting the two barrows.

The proposed development does not lie within the identified significant views and although close the monument is separated from it by a hedgerow which offers significant screening. As such whilst there may be a very slight visual change in the view from the monument this will not have any effect on the way that it is experienced, understood, and appreciated. Consequently, Cadw's view is that the proposed development will have no impact on the setting of scheduled monument GM346.

Third Party Amenity and Crime and Disorder

In this regard, any potential issues would relate to the use of the proposed skate park, since its location and small scale mean that it is too far from any neighbouring properties to have a physical impact on amenity.

As the numerous issues raised by objectors and the Police set out, there are significant concerns relating to the occurrence of anti-social behaviour. The Police have

explained that a number of incidents have been reported to them, such as anti-social behaviour, substance misuse, vehicle nuisance and criminal damage, of which most have taken place during the evening and at night and mostly within the car park and surrounding area of the community centre and youth shelter.

In determining this application regard must be had to the national and local planning policy in PPW11, TAN12 and LDP Policy AW5 which require consideration of crime and disorder matters or for the design of a proposal to develop out opportunities for crime.

The Police have made a number of suggestions, recommending the development be lit, enclosed and lockable at night, and that a CCTV system is provided. Consequently, a condition has been recommended below for the submission of details of a fence, opening and closing arrangements and a management plan for approval.

However, the application does not propose that the facility be lit and the Planning Authority would prefer it was not so that use of the skate park is extended to during the later evening or hours of darkness, especially when background noises tend to drop and its use would be more evident.

Neighbouring residents have raised concerns about noise and it is considered that the clatter of skateboards and their wheels on the hard concrete surfaces and pipes would be likely to create greater potential for disturbance, as well as any sounds or shouting from those using the facility.

In addition, the Police have noted that there is already CCTV on site, which is owned by the Community Council and viewed if an incident occurs, although any views to the area of the skate park would be blocked by the basketball court. Nevertheless, the Police have advised that even in the areas covered by CCTV it has not been of sufficient deterrent to prevent crime and anti-social behaviour.

It is considered that providing the facility is fenced and locked at night, it would not exacerbate or create any new any antisocial behaviour issues. In addition, during the hours of its use, the location is preferable since it would be sited furthest away from the closest dwellings to the south, south-east and west.

On balance, therefore, the development is considered to be acceptable in these terms.

Other Issues

An objector raised a concern about the potential for past mining activities given the previous iron ore mining in and around the Llanharry area. Whilst the site is not within that identified as being at high risk from coal mining and the development would not likely require substantial work below ground, it is considered prudent to append an informative note.

A further issue, relating the possibility of a covenant was highlighted. However, whether or not such a covenant exists, any enforcement of its requirements would not be within the jurisdiction of planning legislation and is a non-material matter.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The proposed skate park would provide the local community with an additional leisure and sport facility within a park that has been long established as being used for these purposes.

The siting of the skatepark is considered to be acceptable in terms of its visual impact and potential impact upon the amenities of neighbouring residents, subject to the conditions recommended to discourage anti-social behaviour and use at inappropriate times.

Therefore, it is considered that the application complies with the relevant local and national planning policies and is acceptable.

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:

- Drainage Plan 16406_500 Rev 01
- Site Location Plan 001
- Proposed Site Plan 002
- Dimension Plan 003

and details and documents received on 21st September 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 commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- i) The provision of a fence, with lockable gate to enclose the skate park
- ii) Arrangements for the daily opening and closing of the skate park
- iii) A management plan for the prevention of antisocial behaviour at the skate park

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

Reason: In the interest of the prevention of crime and disorder and the amenity of neighbouring occupiers in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence until details of a scheme to deliver a biodiversity net benefit has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the protection and enhancement of the natural environment in accordance with PPW11, Future Wales and Policies AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

5. No lighting of the skate park shall be erected within or around the skate park.

Reason: In the interest of the amenity of neighbouring occupiers in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

tudalen wag

PLANNING & DEVELOPMENT COMMITTEE

14 December 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1115/10 (GH)
APPLICANT: Trivallis
DEVELOPMENT: Development of 10 affordable dwellings and associated works.
LOCATION: LAND AT DERWEN ROAD, YSTRAD, PENTRE, CF41 7QQ
DATE REGISTERED: 06/10/2023
ELECTORAL DIVISION: Ystrad

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

REASONS: This proposed affordable housing scheme would enable the redevelopment of a brownfield site and a welcome contribution towards meeting local housing needs.

This small scale, attractive development would be sustainably located and within a long established residential area.

In addition to the improvement to the appearance of the site, there would be no harm to the amenity of neighbouring occupiers and the development would benefit from safe pedestrian and vehicular access.

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 10 affordable dwellings and associated works at Derwen Road, Ystrad.

It is proposed that the development would comprise the following accommodation:

- Plot 1:* 1 x detached five-bed house containing supported accommodation, communal living facilities and additional staff office and bedroom.
- Plot 2, 3 & 4:* 2 x two-bed houses and 1 x 3 bed house arranged as a short terrace.
- Plot 5:* 1 x two-bed detached bungalow.
- Plot 6 to 10:* 4 x one-bed flats and 1 x three-bed adapted house arranged as a short terrace.

All units would have access to private or communal open space and twenty-three off-street parking spaces would be provided, of which three would be for visitors. No changes are planned to the existing alignment of the road and the turning head at its western end would be retained.

The site does exhibit a southerly fall, in common with the surrounding community, so as part of the development and in order to meet DQR standards relating to gradients and access levels and amenity space, some cut and fill would be necessary.

This would also involve the construction of some retaining wall features within rear gardens on the northern site of Derwen Road together with regrading of a bank on the southern side, to the rear of plots 6 to 10.

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

- Design and Access Statement
- Drainage Survey Report
- Preliminary Ecological Appraisal
- Ecological Update Note
- Travel Plan
- Tree Survey and Constraints Plan
- Geotechnical and Geoenvironmental Report

SITE APPRAISAL

The application site is comprised of a large previously developed site, located within a residential area towards the most northern part of Ystrad.

The irregular-shaped parcel of land includes a surface area of around 0.375 hectares and is bisected by the carriageway forming Derwen Road, which connects with Heol-Y-Mynydd at its eastern end.

Although the context of the surrounding land is sloping, being located on a hill side, the site is relatively level on account of the former development which once occupied the site and has a turning head at the end of the cul-de-sac. The site is bounded by

residential development to the north, east and south, whilst its western extent is adjacent to open countryside designated as a SINC.

This site is both within the defined settlement boundary and part of a Registered Landscape of Outstanding Historic Interest in Wales. The land includes an area identified as being subject to a medium risk of surface water flooding.

PLANNING HISTORY

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

22/5051/41: Pre-app (14 dwellings). Decision: 01/09/2022, Raise No Objections

PUBLICITY

The application has been advertised by direct notification to thirty 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 conditions

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. However, it is considered that these issues could be dealt with under the scope of existing public health powers and therefore, such a condition would be unnecessary.

A further condition has been recommended for a standard site investigation for contamination, which has been included below.

Dwr Cymru Welsh Water

No objection

National Grid

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 – Ecologist

No objection, subject to conditions.

South Wales Police

No objection. A list of additional recommendations, in respect of designing out crime, have been submitted for forwarding to the developer. Nonetheless, it is noted that a development funded by Social Housing Grant will be expected to achieve Secured By Design Gold Award.

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 for Ystrad.

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 CS5 - Affordable housing: sets out the affordable housing requirement for the plan period.

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

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

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

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

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

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

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

Policy AW10 - aims to prevent development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability or any other identified risk to local amenity and public health.

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

Policy NSA11 - Affordable housing: seeks the provision of at least 10% affordable housing on sites of 10 units or more.

Policy NSA12 - requires housing development within the settlement boundary to be accessible to local services by a range of sustainable transport modes without

adversely affecting the highway network or provision of car parking in the surrounding area.

Supplementary Planning Guidance

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

National Guidance

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

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

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

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

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

SE Wales Policies

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;

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

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application site is located in the Northern Strategy Area, on land at Derwen Road, Ystrad, Pentre.

The site is within the settlement boundary as defined by LDP Policy NSA12, where there is a presumption in favour of development, providing there would be no adverse impact on accessibility, the highway network or public open space. In addition, Policy AW1 establishes the housing requirement over the plan period, and notes that unallocated sites will contribute to the supply of new properties to help meet local need.

The site was previously developed and is understood to have accommodated 14 detached dwellings which, at some point in the past, were demolished. The redevelopment of vacant and brownfield land is supported by Policy CS1, and PPW11 indicates a strong preference for the use of previously developed sites rather than greenfield locations

Policy AW2 supports development on unallocated sites and defines criteria against which they can be considered to constitute a sustainable location. Although the site is on hillside towards the northern part of Ystrad and perhaps would not be the most convenient of locations, is accessible by sustainable transport modes including bus, foot and bicycle, with a rail connection at Ystrad Rhondda Station approximately 450m to the south.

There are also a range of services and facilities located on the A4058 William Street / Gelligaled Road within walking distance, but the route to them and the aforementioned bus stops would be via a network of sloping residential streets and footpaths.

Nonetheless, the application property is not subject to any environmental constraints, is within the settlement boundary, and is well connected to existing utility/service infrastructure. On balance, noting that not all sites will be as sustainably located as others, it is considered that the requirements of Policy AW2 are satisfied.

Lastly, the proposed development would be for 100% affordable housing to be owned and managed by a local RSL. Since all dwellings would be expected to meet the definition of affordable homes, the minimum provision of 10% affordable housing required in order to comply with Policy NSA11 would easily be exceeded.

Furthermore, the minimum net residential density permitted by Policy NSA10 is 30 dwellings per hectare. The site is approximately 0.345 hectares, resulting in a net residential density of approximately 37.3 dwellings per hectare.

In light of the above, the development would be considered to be acceptable in principle.

Impact on the character and appearance of the area

The original houses which occupied the site were demolished some years ago, though the road and some hardstandings remain in situ, clearly identifying it as brownfield land. The subsequent lack of maintenance or evidence of any beneficial use creates a sense of abandonment resulting in an unattractive street scene.

Therefore, in its current unused state and subject to some littering and fly tipping, the appearance of the site and its impact on the surrounding area is not a positive one. It would benefit from appropriate redevelopment and should mean that instances of anti-social behaviour are less likely to occur.

In this case, the proposed housing development would create a pleasant, short cul-de-sac of modern properties, of both a contemporary design and using external finishes of render and face brickwork.

The principal elevations, rather than being just of the cheapest possible form, also incorporate some features of interest such as gables, stone cills and heads, a decorative plinth/band, and false stanchion and saddle bars within the glazing units.

The density of the development would be relatively low, bearing in mind the management of level changes and the need to accommodate off-street parking spaces, which together with the landscaping scheme should create a scheme of high quality appearance.

Impact on neighbouring occupiers

Land to the north south and east of the application site is occupied by dwellings of various style, including detached and semi-detached houses and flats, so whilst a residential use of the vacant site is not likely to raise any concerns of principle, consideration has been given to any direct amenity impact.

In particular, due to the sloping topography, the likelihood of harm to privacy or outlook was assessed. However, the position of the new dwellings, together with the ample distance between those existing properties, suggests that any detriment would be unlikely.

On this basis and in the absence of any concerns or observations raised as a result of the consultation, the impact on neighbouring residents would be considered to be acceptable.

Access and highway safety

Access

The application site is served from Derwen Road which has a carriageway width of 5.5m and footways on both sides for the majority of its length to a width of 1.6-1.8m. There is a missing section of footway along the existing car parking area which shall be reinstated as a vehicular crossover, which will help to promote walking in accordance with Planning Policy Wales 11th edition.

To the northern end is an unofficial turning facility that shall be brought up to an adoptable standard to facilitate access/egress by all types of vehicle including service and deliveries.

It is noted that the submitted site layout plan LT2217.04.01 P1 incorporates the improvements to the turning facility and provision of a continuous pedestrian linkage mentioned above.

Parking

The off-street parking requirements, in accordance with the Council's SPG for Access, Circulation and Parking requirements are as follows:

Plot 1:	5 bedroom supported living dwelling. 3 spaces required.
Plots 2,3,& 4:	2 bedroom dwellings. 6 spaces required.
Plot 5:	2 bedroom bungalow. 2 spaces required.
Plot 6 & 7:	1 bedroom apartment. 2 spaces required.
Plot 8:	3 bedroom dwelling. 3 spaces required.
Plots 9 & 10:	1 bed apartments. 2 spaces required.

Therefore, the development requires a maximum of 18 residential spaces and 2 visitor spaces and with 23 provided that requirement is exceeded.

Cycle Stands

In order to demonstrate compliance with policy requirements to promote sustainable modes of transport the developer has provided secure cycle storage for each dwelling which is acceptable and accords with national planning policy.

Travel Plan

The main aims of the submitted Travel Plan are to increase the proportion of walking, cycling and public transport trips to and from the site in order to reduce the carbon footprint of the development.

In addition to enabling occupiers to make informed decisions about how and when they travel to and from the site, the Plan seeks to reduce single car occupancy trips by 10% over a 5-year period with targets for each year, all of which are acceptable.

Summary

The application site is brownfield land where there were previously 14 residential dwellings. The development reduces the number of units to 10 with a mixture of 1, 2 and 3 bed dwellings and a 5 bed assisted living dwelling.

The development will have a negligible impact on the surrounding highway network after construction. A number of highway related conditions have been suggested with regards works to the public highway and turning facility to be made up and offered for adoption.

Ecology

The Council's Ecologist has reviewed the Wildwood Ecology PEA and the subsequent update note, in addition to the tree report and landscaping proposals.

The site is mixture of hardstanding, rough grassland, species poor willow scrub and a number of trees, largely sycamore, oak and Lawson cypress.

The PEA is considered to be an effective assessment which confirms the low ecology interest of the site and highlights a requirement for detailed species/habitat surveys and identifies a series of precautionary mitigation measures and enhancement provision.

The proposed site layout appears to be retaining the majority of the trees, including the B and C quality trees (as assessed by the Tree Report).

Nonetheless, the landscape proposals include reference to the use of species rich grass mixes, including species that don't occur in RCT, so the use of that seed mix would not be acceptable.

Therefore, a condition is required for the submission of details for ecological mitigation and enhancement, a Construction and Environmental Management Plan, Tree protection measures and details of landscaping, and landscape aftercare management.

Drainage and Water Supply

DCWW has no objection to the development, noting that foul flows are to be disposed of via the public sewerage system and surface water is set to be drained via a sustainable drainage system.

However, DCWW has advised that the water supply system in the immediate vicinity has insufficient capacity to serve the development and will also cause detriment to existing customers' water supply.

This means that as part of any future water connection application under Section 41 of the Water Industry Act (1991), the developer may be required to provide a hydraulic modelling assessment and the delivery of reinforcement works at the same time as the provision of new water mains to serve the new development.

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.

The review concluded that the site falls within an area of high, medium and low surface water flood risk associated with an unnamed culverted ordinary watercourse conveying through the site from the north to the southwest.

According to the drainage details provided, the culverted watercourse will flow directly through proposed dwelling number 8 continuing its course downhill. As a result, there is a risk of surface water flooding along the culverted watercourse but also easterly along Derwen Road highway. Ordinary Watercourse Consent, per Section 23 of the Land Drainage Act 1991, will be required prior to undertaking any works that may affect the watercourse.

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.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014, and the scheme is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended.

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

Section 106 Contributions / Planning Obligations

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

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

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

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

The Section 106 requirements in this case

In this case the proposed development, on behalf of the Registered Social Landlord Trivallis, would provide 100% affordable housing for social rent.

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

Conclusion

It is considered that the proposal would have a beneficial impact on the site and the character and appearance of the surrounding area. In the absence of any detriment to the residential amenity of the surrounding neighbouring properties or highway safety, the development is considered to comply with the relevant policies of the Local Development Plan.

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

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

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

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

- LT2217.04.101 Rev P2
- LT2217.04.102 Rev P1
- LT2217.04.103 Rev P1
- LT2217.04.104 Rev P1
- LT2217.04.105 Rev P1
- LT2217.04.01 Rev P1
- LT2217.04.05
- LT2217.04.06 Rev P1

and details and documents received on 29th September 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 and implementation of the following has been submitted to and approved in writing by the Local Planning Authority:
 - a) Ecological Mitigation and Enhancement measures, as identified in Section 5 and Table 8 of the PEA (Wildwood Ecology, dated Nov 2022).
 - b) A Construction and Environmental Management Plan, as identified in Section 5 of the PEA (Wildwood Ecology, dated Nov 2022).
 - c) Measures for the protection of trees during development.
 - d) Landscaping and landscaping aftercare management, to exclude the use of wildflower grass mixes.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of ecology and the requirement to demonstrate a biodiversity net benefit, 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, 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 construction,
- j) site lighting during 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.

7. No development shall commence until full engineering design and details of the works to the public highway and turning head to be offered for adoption including sections; street lighting details, junction road markings and surface-water drainage details, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

The scheme shall include:

- (i) 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.
- (ii) An intrusive site investigation to assess the extent, scale and nature of contamination which may be present, and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (i) above.
- (iii) If required, a written method statement for the remediation of contamination affecting the site and justification for the preferred remedial option(s).

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

9. Any measures approved in the contamination remediation scheme referred to in Condition 8 (iii) shall be implemented and a suitable validation report of

the proposed scheme shall be submitted to and approved in writing by the Local Planning Authority prior to beneficial occupation. Any validation report shall be carried out by a suitably qualified competent person.

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

10. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the work recommencing.

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

11. Prior to beneficial use of the development the means of access, together with the parking and turning facilities, shall be laid out in accordance with submitted site plan LT2217.04.01 P1. The parking spaces shall be retained thereafter for the parking of vehicles.

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

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

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2022-2023:

**PLANNING AND
DEVELOPMENT COMMITTEE
14th DECEMBER 2023**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

Agenda Item No. 12

**APPLICATION NO:23/0514/10 –
Residential development of 20 x one and
two-bedroom apartments, with associated
landscaping, boundary treatment and
parking (Description amended on receipt
of revised plans on 31/10/23, reducing
number of units and removing top floor),
Site of Former Royal Naval Association
Club, 233 Court Street, Tonypany, CF40
2RF**

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

3. BACKGROUND

This application was originally reported to the Planning and Development Committee meeting of 5th October 2023. A copy of the original report is attached as Appendix A.

Members resolved that they were minded to refuse the application, contrary to the recommendation of the Director for Prosperity and Development. Members raised concerns in respect of off-street parking provision, the lack of on-site parking provision, prematurity and that the scheme would constitute and overdevelopment of the site.

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

4. PLANNING ASSESSMENT

Post-Committee Revision

Members will note that the description of development, above, has been revised from that previously considered.

Since the Committee meeting of 5th October, the Applicant has discussed his options with the Local Planning Authority and has submitted revised plans which have reduced the scale of the development by a reduction in two units.

In addition, this has enabled the top floor to be removed entirely, so that the development would be arranged over five floors, one of which would be the basement parking level, thus the accommodation would comprise:

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.

The overall design approach, in terms of finishes and materials remains as previously proposed, although more of the anthracite cladding has been introduced to the third floor elevations, as was the case for the now-removed fourth floor.

Following on from the submitted revisions a second neighbour consultation was undertaken via directly mailed notifications and the erection of replacement site notices.

A response was received from the owners of the neighbouring property, no.232 Court Street highlighting the points raised in their previous objection in respect of parking, privacy, natural light and access. Whilst acknowledging the change, it was noted that the proposal would still be very close to the boundary and a very large invasive form of development.

A further email was received from another resident, reiterating the numerous objections submitted in their original consultation response as recorded in the report at Appendix A.

Reasons for Refusal identified by Members

Off-Street Parking

Although the number of units has been reduced to 20, 13 off-street parking spaces, plus cycle store, are still proposed. The Council's Highways and Transportation

Section has advised that this is sufficient, given the sustainable location of the site and access to public transport and local services.

In terms of the Council's SPG for the Development of Flats the maximum parking standards require 1 space per bedroom and 1 visitor space per 5 flats, which would create a requirement of 29 resident spaces and 4 visitors for a total of 33 and a shortfall of 20 spaces.

Information provided by the 2021 census identifies that there are 1687 flats within RCT, which are privately owned or rented and were purposely built as flats, i.e., market developments and not including social housing or converted schools/chapels. Of those flats 735 (43%) did not have a car or van associated so if that pattern were repeated at the proposed development, only 11.4 of the new flats would require parking spaces.

Whilst there is no way of predicting whether future residents of the proposed development would share the same vehicle ownership patterns, the Census figures do align with the views of the Highways and Transportation Section and it is possible that short term visitors could be accommodated within nearby car parks.

Nevertheless, it is appreciated that the site location is within an area of Tonypany where there is a considerable existing high demand for on-street spaces, moreover, many of the roads closest to the site are subject to traffic regulation orders in the form of double yellow lines.

LDP Policies AW5 and NSA12 require, respectively, that off-street car parking provision should be provided in accordance with the Council's SPG and proposed developments should not adversely affect the provision of car parking in the surrounding area.

Consequently, the reason for refusal which is set out at the end of the report incorporates these policies and notes insufficient off-street parking provision.

Amenity Space

LDP Policy AW6 seeks that development proposals will provide open space in accordance with Fields In Trust Standards, albeit that the matter of amenity is addressed in more detail in the Council's SPG for the Development of Flats.

This SPG notes that "Residents should be provided with access to either private or communal garden space, such as a balcony or garden, unless the possibility of this is restricted by other factors. Flats without outdoor space are more likely to be acceptable where high quality public open space is located close by".

The floorplans for the flats show that of the 20 units, 12 would have a balcony or private outdoor space. Nonetheless, it is recognised that the site is a constrained one and that the footprint of the development does not practically lend itself to additional provision.

Per the SPG, the nearest available public open space is at King George V Park. The distance from the entrance of the flats to the park, as the crow flies, is approximately 114m, whereas the shortest walking route is around 286m.

The Fields In Trust Standards, upon which the SPG and PPW TAN16 recommendations are based, suggests that a facility the size of a Locally Equipped Area of Play should ideally be within 400m or a five minute walk of a development.

The facilities at the Park are well in excess of the play equipment that would be installed within a LEAP and in addition to a formal area of play include all-weather pitches, areas of hardstanding and maintained open lawn.

However, it would be preferable for the development to accommodate sufficient amenity space on site, as Members recognised, which would be both convenient for future residents and would avoid the need to cross Court Street.

Overdevelopment

During the previous Committee meeting, the height of the proposed development was compared with the existing outline planning permission.

The outline consent for the 12 apartment scheme has approved scale parameters relating to heights of between 12.2m and 14.5m. The maximum height of the current scheme, measured from the basement floor level to the flat roof, not including a low parapet, is 14.25m.

Nonetheless, considerations relating to overdevelopment are a matter for judgement and relate not just to physical dimensions but its density and how the massing and scale will be perceived in the street scene.

LDP Policy AW5 requires the scale, form and design of new developments not to have an unacceptable effect on the character of a site and surrounding area. Policy AW6 sets out that developments should be appropriate to the local context, including in terms of siting, appearance, scale, height and massing. These policy references have been included as part of the suggested reason for refusal.

Prematurity

Concern was raised that the granting of planning permission might jeopardise the ability to redevelop the neighbouring Mitchell Court, former Conservative Club site and Council office building, of which the former is almost vacant and expected to be demolished in due course.

Where it can be clearly evidenced that a planning application for one site would prevent or hinder an application coming forward on a neighbouring property, then it might be possible to argue that it was premature or prejudicial development.

However, in this case, informal discussions have already taken place between the LPA, Trivallis, Agent and Architect regarding proposed design and layout. These plans also now form part of a formal pre-application request and do not indicate that the proposed development at the Naval Club site would have any direct impact.

On this basis, an objection on the grounds of prematurity would be unlikely to be considered a sustainable one; therefore, should Members resolve to refuse consent it is recommended that this does not form part of a reason for refusal.

Summary

If Members consider that the amendments and foregoing considerations are sufficient to outweigh previous concerns, the following reason for approval, per the original report to Committee and conditions, is proposed:

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.

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 completed in accordance with the approved drawings and documents:
 - 21416/001(-) Location Plan
 - 21416/002(A) Proposed Site Plan

- 21416/003(A) Proposed Basement Plan
- 21416/004(B) Proposed Ground Floor Plan
- 21416/005(B) Proposed First Floor Plan
- 21416/006(B) Proposed Second Floor Plan
- 21416/007(B) Proposed Third Floor Plan
- 21416/009(A) Proposed Roof Plan
- 21416/010(B) Proposed Elevation A
- 21416/011(A) Proposed Elevation B
- 21416/012(A) Proposed Elevation C
- 21416/013(A) Proposed Elevation D
- 21416/014(A) Proposed Elevation E
- 21416/015(A) Proposed Elevation F

and details and documents received on 10th May 2023, 5th July 2023 and 31st October 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.

However, notwithstanding the foregoing and amendments described further above; if Members consider these are insufficient to allay concerns regarding off-street parking provision, on-site amenity space for future residents and that the scale of the scheme would still constitute an overdevelopment, the following reason for refusal is suggested:

By virtue of its scale and location the proposed scheme is considered to represent an overdevelopment of the site which would be harmful to the form and appearance of the surrounding built environment and local character.

In addition, the development would provide insufficient off-street parking provision, resulting in overspill to neighbouring streets where there is already high on-street parking demand, to the detriment of highway safety and free flow of traffic.

Furthermore, the development would not be considered to provide adequate on-site amenity space for the benefit and well-being of future applicants, whilst that located closest to the site would not be conveniently located.

Therefore, the development would be considered not to comply with Policies AW5, AW6 and NSA12 of the Rhondda Cynon Taf Local Development Plan, or the Council's SPG for both Access, Circulation and Parking Requirements and the Development of Flats.

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

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.

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, Tonypanyd, 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 42m² and 70m², 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

- Tonypany is being taken over by flats.
- The development is out of character with the area. It would be better suited to Cardiff Bay as Tonypany 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 Tonypany 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 Tonypany which: 1) support and reinforce the role of the centre as a Key Settlement; 2) are of a high standard of design; 3) promote the beneficial re-use of vacant floor space; and 4) support the provision of local services.

Policy NSA10 - 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

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 Tonypany 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 Tonypandy.

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 Tonypandy 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 Tonypanyd 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 Tonypany 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

14 DECEMBER 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 13/11/2023 – 01/12/2023

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

14 DECEMBER 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

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

OFFICER TO CONTACT

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

See Relevant Application File

APPEALS RECEIVED

No new appeals
No appeal decisions

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

Report for Development Control Planning Committee

13/11/2023 and 01/12/2023

Aberaman

23/0990/10 Decision Date: 23/11/2023

Proposal: Proposed off-street parking bay

Location: THE BUNGALOW, CLUB STREET, ABERAMAN, ABERDARE, CF44 6TN

23/1217/10 Decision Date: 21/11/2023

Proposal: Single storey rear extension

Location: 14 CYNON STREET, ABERAMAN, ABERDARE, CF44 6SG

Aberdare East

23/1182/10 Decision Date: 27/11/2023

Proposal: Installation of external condensing unit on the rear elevation

Location: 49B & 50 COMMERCIAL STREET, ABERDARE, CF44 7RW

Beddau and Tyn-y-nant

23/0926/10 Decision Date: 15/11/2023

Proposal: Retrospective extension of garden curtilage with new fence and the construction of a detached garage for car. Walls to be blockwork render to match house with the roof to have a duo pitch and roof tiles to match existing

Location: 61 WOODLAND ROAD, BEDDAU, PONTYPRIDD, CF38 2DG

Brynna and Llanharan

23/0739/10 Decision Date: 30/11/2023

Proposal: Two storey extension and single storey rear extension.

Location: GELLI FEDI FARM, MYNYDD COEDBYCHAN ROAD, BRYNNA, PONTYCLUN, CF72 9QT

Church Village

23/0963/19 Decision Date: 30/11/2023

Proposal: Reduce hight of Hazel, Holly & Hawthorn tree to 8ft, reduce height of 3 Ash trees by 20ft or more

Location: 37 CWRT COED-Y-BRENIN, CHURCH VILLAGE, PONTYPRIDD, CF38 1TN

23/1118/19 Decision Date: 17/11/2023

Proposal: Prune the lower overhanging branches up to 30 ft back to the fence line.

Location: 6 ROWAN GARDENS, CHURCH VILLAGE, PONTYPRIDD, CF38 2GG

Cilfynydd

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

Report for Development Control Planning Committee

13/11/2023 and 01/12/2023

Cilfynydd

23/0989/10 Decision Date: 17/11/2023

Proposal: Convert car port in to garage

Location: VICARAGE, 103 CILFYNYDD ROAD, CILFYNYDD, PONTYPRIDD, CF37 4NF

Glyn-coch

23/1145/19 Decision Date: 17/11/2023

Proposal: Works to trees subject to a TPO pollard T1 & T2

Location: 1 THE GROVE, GLYN-COCH, PONTYPRIDD, CF37 3BQ

Graig and Pontypridd West

23/0437/10 Decision Date: 17/11/2023

Proposal: Conversion of barn to dwelling (Bat Survey Report received 30/09/2023)

Location: FARMHOUSE, GELLI WION FARM, GELLIWION ROAD, MAESYCOED, PONTYPRIDD, CF37 1QB

23/0964/10 Decision Date: 17/11/2023

Proposal: Remove timber windows to first and second floors, fit with similar white double glazed aluminium, Georgian style sash replacements

Location: NATIONAL PROBATION OFFICE, 4-9 BROADWAY, PONTYPRIDD, CF37 1BA

23/0996/13 Decision Date: 24/11/2023

Proposal: Construction of 2 no. detached dormer bungalows with private access drive (outline application with all matter reserved)

Location: PENRHIW, COED ISAF ROAD, MAESYCOED, PONTYPRIDD, CF37 1EN

Hirwaun, Penderyn and Rhigos

23/1091/10 Decision Date: 14/11/2023

Proposal: Ground floor extension

Location: 36 HEOL ESGYN, RHIGOS, ABERDARE, CF44 9BX

Llantrisant and Talbot Green

23/1111/10 Decision Date: 24/11/2023

Proposal: Refurbishment of restaurant - changes to elevations, construction of extensions totalling 86.6 sqm, replacement shopfront with new sliding door, updated drive thru booths, new aluminium cladding and

Location: MCDONALDS RESTAURANT, GLAMORGAN VALE RETAIL PARK, TALBOT GREEN, PONTYCLUN, CF72 8RP

23/1112/01 Decision Date: 24/11/2023

Proposal: Relocation of 1 no. existing fascia signs.

Location: MCDONALDS RESTAURANT, GLAMORGAN VALE RETAIL PARK, TALBOT GREEN, PONTYCLUN, CF72 8RP

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

Report for Development Control Planning Committee

13/11/2023 and 01/12/2023

Llantrisant and Talbot Green

23/1154/10 Decision Date: 14/11/2023
Proposal: Double storey extension, bedroom above garage. Garage approved (22/1362/10)
Location: 4 BELVOIR COURT, CROSS INN, LLANTRISANT, PONTYCLUN, CF72 8BJ

Llantwit Fardre

23/1022/19 Decision Date: 15/11/2023
Proposal: Reduce 2 Oak trees in front and rear garden.
Location: LIDDINGTON, DEHEWYDD LANE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2EN

23/1152/10 Decision Date: 30/11/2023
Proposal: Single storey rear and in-fill extension.
Location: 34 QUEEN'S DRIVE, LLANTWIT FARDRE, PONTYPRIDD, CF38 2NT

23/1171/10 Decision Date: 14/11/2023
Proposal: Retrospective application for an extended, replacement balcony with canopy to the rear and for a lean to roof over an existing raised patio to create a wood store at the side / front of the property.
Location: 8 HEOL TIR-COCH, EFAILISAF, PONTYPRIDD, CF38 1BW

Penrhiw-ceibr

23/1072/10 Decision Date: 30/11/2023
Proposal: Two storey rear extension
Location: 2 YORK STREET, MOUNTAIN ASH, CF45 3BG

23/1117/15 Decision Date: 22/11/2023
Proposal: Variation of condition 1 of planning permission 17/1165/10 to extend the period for commencement of development for a further 5 years
Location: LAND ADJACENT TO BROOK STREET, MOUNTAIN ASH, CF45 3AR

Pentre

23/0906/10 Decision Date: 22/11/2023
Proposal: Change of use from A2 bank into retail store (A1) and office space (B1) and a single apartment on the first floor.
Location: NATWEST, 215 YSTRAD ROAD, PENTRE, CF41 7BE

Pontyclun East

23/0540/10 Decision Date: 17/11/2023
Proposal: Community Growing Project consisting of a welfare cabin, compost toilets, 2no. polytunnels and associated works. (Updated Ecology Assessments received 18/09/23)
Location: MWYNDY CROSS INDUSTRIES, HEOL MISKIN, MWYNDY, PONT-Y-CLUN, PONTYCLUN, CF72 8PN

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Pontyclun West

23/1083/10

Decision Date: 22/11/2023

Proposal: Change of use from Retail Shop to Estate and lettings agency (Use Class A2)

Location: PARISH OF PONTYCLUN COMMUNITY SHOP, 9-11 COWBRIDGE ROAD, PONT-Y-CLUN, PONTYCLUN, CF72 9EA

Pontypridd Town

23/1080/10

Decision Date: 14/11/2023

Proposal: Construction of a drive way

Location: 60 BERW ROAD, PONTYPRIDD, CF37 2AA

Porth

23/0824/10

Decision Date: 14/11/2023

Proposal: Garage replacement

Location: REAR OF 67/68 CEMETERY ROAD, PORTH

Taff's Well

23/0952/15

Decision Date: 30/11/2023

Proposal: Variation of condition 2 (addition of en-suite bathroom) and condition 6 (full engineering design and details of the turning area for emergency service and delivery vehicles) of previously approved application 20/0794/10

Location: LAND TO THE REAR OF 5 CULES TERRACE, TAFFS WELL, CARDIFF, CF15 7QJ

Ton-teg

23/1079/10

Decision Date: 16/11/2023

Proposal: Change of use of property from an office (Use Class B1) to a dwelling (Use Class C3)

Location: Y BYTHIN, MAIN ROAD, TONTEG, CF38 1LR

23/1088/10

Decision Date: 14/11/2023

Proposal: Demolition of conservatory and construction of single storey rear extension

Location: 24 MAESTEG CRESCENT, TON-TEG, PONTYPRIDD, CF38 1PE

23/1128/10

Decision Date: 23/11/2023

Proposal: Dormer loft conversion

Location: BRYNMOR, 21 MEADOW CRESCENT, TONTEG, PONTYPRIDD, CF38 1NL

Tonyrefail East

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Tonyrefail East

23/1204/10 Decision Date: 21/11/2023
Proposal: First floor rear extension above single storey extension

Location: 7 PRICHARD STREET, TONYREFAIL, PORTH, CF39 8PB

Tonyrefail West

23/1240/10 Decision Date: 30/11/2023
Proposal: Proposed external plant upgrade to existing class 1 retail unit

Location: THE CO OPERATIVE FOOD, PENRHIWFER ROAD, TONYREFAIL, PORTH, CF39 8EY

Trealaw

23/1120/10 Decision Date: 14/11/2023
Proposal: Two storey rear extension

Location: 20 BRITHWEUNYDD ROAD, TREALAW, TONYPANDY, CF40 2UB

Treforest

23/1085/10 Decision Date: 20/11/2023
Proposal: Two storey extension to each elevation, loft conversion and creation of balcony.

Location: HILLSIDE VIEW, GRAIG-YR-HELFA ROAD, PONTYPRIDD, CF37 4LX

Treherbert

23/1180/10 Decision Date: 24/11/2023
Proposal: Alterations to bungalow including a gable to front elevation, a single storey rear extension, a rear dormer window and associated works.

Location: 14 BLAEN-Y-CWM ROAD, BLAEN-CWM, TREORCHY, CF42 5DG

Tylorstown and Ynyshir

23/1139/10 Decision Date: 14/11/2023
Proposal: First floor extension to house shower room.

Location: 18 WILLIAM STREET, YNYS-HIR, PORTH, CF39 0EU

Ynysybwl

23/0655/10 Decision Date: 23/11/2023
Proposal: Build garage at lane level 4ft lower than garden level.

Location: 45 CHURCH STREET, YNYS-Y-BWL, PONTYPRIDD, CF37 3LB

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Ynysybwl

23/1132/10

Decision Date: 23/11/2023

Proposal: Single Storey new build extension to rear of house to form new kitchen, with internal refurbishment of existing house plus new porch added to front of house

Location: 36 CHURCH STREET, YNYS-Y-BWL, PONTYPRIDD, CF37 3LB

Total Number of Delegated decisions is 38

Abercynon

23/0228/13

Decision Date: 30/11/2023

Proposal: 5no. single storey detached properties, parking facilities and turning head (Outline - all matters reserved) (Bat Survey, Preliminary Ecological Assessment and Reptile Mitigation Method Statement Rec. 14/08/23).

Location: LAND TO THE REAR OF GLANCYNON TERRACE, ABERCYNON

Reason: 1 The application is contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development in that it would result in an adverse impact upon the character and appearance of the site and the surrounding area for the following reasons:

The application site is positioned in a backland position at the rear of Glancynon Terrace and Alexander Road and the proposed dwellings would fail to integrate with the existing pattern of development in the area.

The layout results in the parking area being sited in a secluded location with no form of natural surveillance being achieved from either the proposed dwellings that they would serve, or existing properties in the area. Furthermore, the lane lacks any form of street lighting with the most southern end of the lane only being accessible on foot and this would increase opportunities for crime and anti-social behaviour to occur in this location.

Reason: 2 The application is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan in that it would result in an adverse impact upon highway safety in the vicinity of the site for the following reasons:

The proposed additional use of the sub-standard lane as a principal means of access to serve the proposed development will create increased traffic hazards to the detriment of highway and pedestrian safety.

The existing lane access lacks an adequate turning area to cater for vehicular turning movements to and from the site and would therefore create hazards to the detriment of highway and pedestrian safety.

Reason: 3 Insufficient information has been provided to demonstrate that the proposed development would not have an adverse impact upon trees on the site. The loss of urban edge tree cover has also not been mitigated for. As such, the application is contrary to Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

Graig and Pontypridd West

23/1003/10 Decision Date: 24/11/2023

Proposal: Proposed storage containers to the rear of car park

Location: PONTYPRIDD EX SERVICEMENS CLUB, WOODLAND TERRACE, MAES-Y-COED, PONTYPRIDD, CF37 1DZ

Reason: 1 The proposal is contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan in that it would result in an adverse impact upon highway safety in the vicinity of the site for the following reasons:

The proposal will remove off-street parking facilities which would intensify on-street parking in a location with high on-street parking demand to the detriment of highway and pedestrian safety. There is a lack of information for a full highway and pedestrian safety assessment.

Hirwaun, Penderyn and Rhigos

23/1013/10 Decision Date: 23/11/2023

Proposal: Timber shed/workshop

Location: 56 SPRINGFIELD GARDENS, HIRWAUN, ABERDARE, CF44 9LY

Reason: 1 By virtue of its scale and prominent position the development is considered to be detrimental to the outlook from neighbouring dwellings. The proposal is therefore both unneighbourly and excessive, contrary to the relevant policies of the Local Development Plan (AW5 and AW6) and Supplementary Planning Guidance A Design Guide for Householder Development

Llantrisant and Talbot Green

23/0866/10 Decision Date: 17/11/2023

Proposal: New solar panels to the principal elevation (within conservation area).

Location: 57 SWAN STREET, LLANTRISANT, PONTYCLUN, CF72 8ED

Reason: 1 The proposed, by virtue of their design, appearance and prominent location, would form an incongruous feature within the roofscape of the area that would be detrimental to the visual amenity of the area and would fail to preserve the character and appearance of the Llantrisant Town Conservation Area. The proposal would therefore be contrary to Policies AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan, TAN 24 - Technical Advice Note (TAN) 24: The Historic Environment (2017) and the Historic Environment (Wales) Act 2023.

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Total Number of Delegated decisions is 4

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