



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
2 Llys Cadwyn
Stryd Taf
Pontypridd, CF37 4TH

Dolen gyswllt: Jess Daniel - Democratic Services (07385401877)

Bydd cyfarfod rhithwir o'r **Pwyllgor Cynllunio a Datblygu** yn cael ei gynnal ar **DYDD IAU, 8FED CHWEFROR, 2024** am **3.00 PM**.

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

MAE MODD I AELODAU NAD YDYN NHW'N AELODAU O'R PWYLLGOR AC AELODAU O'R CYHOEDD [OFYN I ANNERCH Y PWYLLGOR YN YSTOD Y CYFARFOD](#) SY'N YMWNEUD Â'R MATER SYDD WEDI'I NODI. RYDYN NI'N GOFYN EICH BOD CHI'N RHOI GWYBOD AM EICH BWRIAD I SIARAD DRWY E-BOSTIO GWASANAETHAUCYNLLUNIO@RCTCBC.GOV.UK ERBYN 5PM AR DYDD MAWRTH, 6 CHWEFROR 2024, 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 11.01.24

Cadarnhau cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 11.01.24 yn rhai cywir.

5 - 8

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

5. CAIS RHIF: 21/1331

Adeiladu cyfadeilad iechyd a man gyda chyfleusterau cysylltiedig a fydd yn cynnwys dosbarthiadau defnydd A3, D2 a Sui Generis ac unioni 52no. Maes Parcio Ychwanegol. (Ffin Llinell Goch Diwygiedig wedi dod i law 08/07/22) (Disgrifiad diwygiedig wedi dod i law 08/07/22) (Dadansoddiad o'r llwybr i gerbydau a manylion y maes parcio wedi dod i law 09/09/22)

**Tŷ MAELWG, HEOL YN ARWAIN AT DREM Y GOEDWIG,
YNYSMERDY, LLANTRISANT, PONT-Y-CLUN, CF72 9JS**

9 - 26

6. CAIS RHIF: 23/1052

Newid defnydd o dŷ llety a byngalo ategol i ganolfan adsefydlu cyffuriau ac alcohol breswyl (Defnydd Dosbarth C2).

**Tŷ LLETY FIFTH AVENUE, FIFTH AVENUE, YSTAD
DDIWYDIANNOL HIRWAUN, HIRWAUN, ABERDÂR, CF44 9UN**

27 - 42

7. CAIS RHIF: 23/1198

Datblygu 10 annedd fforddiadwy a gwaith cysylltiedig.
**DKS TRIMMINGS LTD, CILGANT CATRIN, CYMER, PORTH, CF39
9AF**

43 - 58

8. CAIS RHIF: 23/0733

Adnewyddu Pont Heol Berw. (Rhan 3 o'r gwaith y mae'r cais yma'n ei gefnogi) (Manylion draenio diwygiedig, Asesiad o'r Effaith ar Dreftadaeth (HIA) a llai o waith argloddio a chadw coed - wedi dod i law 15/11/2023), **Pont Heol Berw (Y Bont Wen), Pontypridd.**

59 - 70

CEISIADAU WEDI'U GOHIRIO

9. CAIS RHIF: 23/1056/10

4 tŷ pâr ac 1 annedd ar wahân (Ailgyflwyno cais rhif 21/0373/10), **TIR
RHWNG RHIFAU 37 I 43 HEOL TREBANOG, TREBANOG, CF39 9EP**

71 - 90

ADRODDIAD ER GWYBODAETH

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

Rhoi gwybod i Aelodau am y canlynol, ar gyfer y cyfnod 15/01/2024 – 26/01/2024.

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.

91 - 102

11. MATERION BRYD

Trafod unrhyw faterion sydd, yn ôl doethineb y Cadeirydd, yn rhai bryd 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 and 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, 11 Ionawr 2024 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 D Grehan Y Cyngorydd G Hughes
Y Cyngorydd J Smith Y Cyngorydd L A Tomkinson
Y Cyngorydd R Williams

Swyddogion oedd yn bresennol: -

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

Y Cyngorwyr Bwrdeistref Sirol eraill oedd yn bresennol: -

Y Cyngorydd S Powderhill

164 CROESO AC YMDDIHEURIADAU

Daeth ymddiheuriad am absenoldeb gan Gyngorydd y Fwrdeistref Sirol M Powell.

165 DATGAN BUDDIANT

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

166 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.

167 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.

168 COFNODION 23.11.23

PENDERFYNWYD cadarnhau'r cofnodion o gyfarfod y Pwyllgor Cynllunio a Datblygu a gynhaliwyd ar 23.11.23 yn rhai cywir.

169 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.

170 CAIS RHIF: 23/0953

Newid defnydd tir i'r gorllewin o 308 Heol y Parc i gwrtil gardd i'w ddefnyddio mewn cysylltiad â'r annedd, a gosod ffens bren 1.8 metr o'i gwmpas (cais ôl-weithredol). 308 HEOL Y PARC, CWM-PARC, TREORCI, CF42 6LG

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:

- Ms K Resoli (Ymgeisydd)
- Mr F Tucker (Gwrthwynebydd)

Arferodd yr Ymgeisydd, Ms K Resoli, yr hawl i ymateb i'r sylwadau a wnaed gan y gwrthwynebydd.

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

(Nodwch: Ymatalodd Cyngorydd y Fwrdeistref Sirol D Grehan rhag pleidleisio ar y cais yma gan nad oedd yn bresennol ar gyfer y drafodaeth gyfan.)

171 CAIS RHIF: 21/1309

Newid defnydd tir i Ddosbarth B8 (storio) gan gynnwys gosod 50 cynhwysydd storio, mynediad cysylltiedig a llociau (Derbyniwyd cynllun safle diwygiedig ar 16/03/22). FFERM NANTLLECHAU, HEOL YR ARHOSFA, RHIGOS, HIRWAUN, ABERDÂR, CF44 9UN

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 Graham Thomas (Gwrthwynebydd)
- Mr David West (Gwrthwynebydd)

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

(Nodwch: Ymatalodd Cyngorydd y Fwrdeistref Sirol G Hughes rhag pleidleisio ar yr eitem yma gan nad oedd yn bresennol ar gyfer y drafodaeth gyfan).

172 CAIS RHIF: 22/1413

Adeiladu a gweithredu fferm solar ffotofoltäig gan gynnwys mynediad, ffensys, teledu cylch cyfyng, llwybrau gwasanaeth mewnol, offer cynorthwyol a chynllun tirlunio (Derbyniwyd cynllun safle a gwybodaeth ategol ar 29/08/23) FFERM RHIWFELIN FAWR, LLANTRISANT

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

(**Nodwch:** Ar yr adeg yma, daethpwyd â'r cyfarfod i ben a chafodd yr eitemau a oedd yn weddill eu gohirio o ganlyniad i broblem dechnegol gyda'r rhwydwaith doedd dim modd ei datrys o fewn cyfnod rhesymol. Cafodd holl eitemau'r cyfarfod a oedd yn weddill eu gohirio tan y cyfarfod nesaf sydd wedi'i drefnu.)

Daeth y cyfarfod i ben am 4.05 pm

Y Cyngorydd S Rees
Cadeirydd.

tudalen wag

PLANNING & DEVELOPMENT COMMITTEE

08 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1331/10 (JE)
APPLICANT: Edwards Investments Ltd
DEVELOPMENT: Construction of health complex and venue with associated amenities, to include A3, D2 and Sui Generis use classes and regularisation of 52no. Space Overspill Carpark. (Amended Redline Boundary Received 08/07/22)(Revised description received 08/07/22)(Swept Path Analysis and car park details received 09/09/22)
LOCATION: TY MAELWG, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JS
DATE REGISTERED: 05/10/2021
ELECTORAL DIVISION: Llanharan

RECOMMENDATION: APPROVE

REASONS: Whilst both elements of the application site are located outside of the defined settlement boundary, the developments would form part of the existing Lanelay Hall Hotel and Spa which is a well-established hospitality and tourism facility offering a range of leisure uses, and the development would provide a dedicated space for the business to operate and grow as well as provide additional off-street parking for visitors. As such, the application would allow for the expansion of an existing hospitality business which would enhance the tourism offer of the local area and wider County Borough.

Furthermore, the scale and design of the proposals would have no adverse impact upon the character and appearance of the sites or the surrounding area, the amenity of residential properties, highway safety surrounding the sites or biodiversity. As such, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Service Director Prosperity and Development.

APPLICATION DETAILS

Full planning permission is sought for the construction of a health complex and venue with associated amenities at Ty Maelwg, Ynysmaerdy, and for the regularisation of an associated 52no. space overspill carpark nearby, in close proximity of the existing Lanelay Hall Hotel and Spa.

The health complex would consist of a large two-storey L-shaped building that would be sited at the south-western corner of the plot, at the same location as a previous dwelling that formerly occupied the site but has been demolished. The resulting structure would form a traditional farmhouse type building with modern extensions/alterations throughout. It would be finished in appropriate materials for its countryside setting such as natural stone, painted render, imitation slate roof tiles, and grey uPVC windows and doors.

A bin store would be located adjacent to an existing bat house at the north-western corner of the plot, to be finished in the same external materials as the main property. It is noted that the bat house was constructed on site as a condition of an earlier consent to construct a dwelling at the site, having to be constructed prior to any other development works commencing. No further works in respect of that earlier consent have been undertaken.

Various landscaping works would be undertaken throughout the site including the planting of trees and shrubs etc. around each of the boundaries, a large patio and an outdoor swimming pool and lawn area to the eastern side.

The existing site access at the north-western corner of the plot would be utilised but would be upgraded to current standards, with access gained off the un-named country lane that runs through the surrounding forestry.

The proposal would operate as an extension of the spa facilities at the nearby existing Lanelay Hall Hotel and Spa located at Ffordd Hann. The supporting information sets out that the facility would operate between 09:00 and 00:00 daily and would function as an annexe to the existing facilities at Lanelay Hall. Further, that guests/ visitors and staff would be transported between the two sites by an electric shuttle bus and that all guests would be required to check into reception at Lanelay Hall first, with no visitors travelling directly to the annexe themselves.

The proposal also seeks to regularise a car park which is located approximately 1.26km to the south of the main site, along Lanelay Lane in close proximity of the existing hotel. The car park is currently used to serve Lanelay Hall however does not benefit from planning permission. The proposal would see the access serving the car park relocated 5 metres to the north of its current position and the formation of 52 formal car parking spaces.

As well as all relevant plans, the application is also supported by:

- Transport Statement
- Assessment of impacts on bat roosts at Ty Maelwg
- Sequential test assessment
- Parking Appraisal
- Automatic Traffic Counts (ATC) survey results

SITE APPRAISAL

The application as submitted includes separate redline boundaries for the health complex and car park. A separate appraisal for each area is set out below:

Health Complex

The application site forms a small clearing within the long established Llantrisant Forestry. It is roughly triangular in shape, amounts to approximately 1500m², and is level throughout. It is however located on steep valley hillside with the surrounding landscape generally falling from west to east.

Given its location within the heart of the mature forestry the plot is surrounded by dense woodland on all sides, although an un-named country lane runs immediately to the western boundary, from which access is gained. There are no neighbouring properties within the immediate locality.

A dwelling historically occupied the plot but had fallen into a state of disrepair in recent years, to such an extent that it was found to be a dangerous structure and unviable to retain. It was subsequently demolished in 2020.

The plot is now vacant, having been levelled and cleared and the materials from the previous dwelling crushed on site and laid as a new sub-base. It is noted however that a small stone building is located at the north-western corner of the site, a bat house that was constructed as part of a previous planning permission that was never completed. This building would remain following development.

During the site visit, the site accommodated various building materials and waste which appear to have been stored at the site as part of the redevelopment of two other properties to the south which also provide further accommodation in association with the hotel.

Car Park

The car park forms an irregular parcel of land located on the northern edge of Lanelay Lane. The site is bounded by the highway to the west and north, an area of woodland and the River Ely to the east, and a neighbouring residential property to the south. Access is currently gained towards the southern boundary of the site with a walled entrance. The site is currently used as an overflow car park for Lanelay Hall Hotel and Spa which is located approximately 154 metres to the south. During the site visit it was evident that a number of trees along the boundary with the highway have been removed and the site now forming an open area.

The area to the south and south west of the site comprises a residential development with open countryside and woodland to the north and east.

PLANNING HISTORY

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

19/0575/10: TY MAELWG, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JS

Proposed extension and alterations of property, detached double garage and landscaping of site.

Decision: 21/05/2020, Grant

20/1049/38: TY MAELWG, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JS

Discharge of conditions 5 - nesting birds, 6 - external lighting, 7 - bat house.

Decision: 29/10/2020, Grant

20/1062/38: TY MAELWG, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JS

Discharge of condition 3 materials/samples (prev app 19/0575/10).

Decision: 02/11/2020, Grant

20/1097/38: TY MAELWG, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JS

Discharge of condition 4 - means of access (prev app 19/0575/10)

Decision: 30/11/2020, Grant

21/0766/10: TY MAELWG, ROAD TO FOREST VIEW, YNYSMAERDY, LLANTRISANT, PONTYCLUN, CF72 9JS

Replacement of dwelling known as Ty Maelwg due to structural issues found whilst undertaking works in association with previous planning permission to extend original dwelling (19/0575/10).

Decision: 27/07/2021, Grant

PUBLICITY

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

No letters of objection have been received following consultation.

CONSULTATION

Transportation Section: No objection subject to conditions.

Countryside (Ecology): No objection raised.

Natural Resources Wales: No objection subject to conditions.

Public Health and Protection: No objection although conditions suggested with regard to hours of construction, noise, dust, waste and private water supplies.

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

Dwr Cymru/Welsh Water: No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and 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.

Both elements of the application site are located outside of the settlement boundary for Ynysmaerdy. They are within the Mynydd Hugh and Llantrisant Forest Special Landscape Area and a Sandstone Resources Region. It is also noted that whilst both sites are excluded from the designation, the immediate surrounding area forms the Llantrisant Forestry and Craig Melyn Site of Important Nature Conservation.

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

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 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 AW14 – safeguards minerals from development that would sterilise them or hinder their extraction.

Policy SSA25 – Development within SLAs will be expected to conform to the highest standards of design, siting, layout and materials appropriate for the site.

Supplementary Planning Guidance

- Design and Placemaking
- A Design Guide for Householder Development
- Nature Conservation
- 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 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.

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

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

Other national policy guidance considered:

- PPW Technical Advice Note 5: Nature Conservation and Planning
- PPW Technical Advice Note 6: Planning for Sustainable Rural Communities

- PPW Technical Advice Note 12: Design
- PPW Technical Advice Note 18: Transport
- PPW Technical Advice Note 23: Economic Development

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

This application seeks planning permission for the construction of a health complex and venue Ty Maelwg and the regularisation of a car park at Ynysmaerdy.

The main site is located outside the defined settlement boundaries where the principle of development is restricted to certain accepted categories and subject to compliance with other policies within the Local Development Plan. In this regard whilst located outside of the settlement boundary the proposal would see the creation of an enhanced offering and expansion of existing facilities at the existing Lanelay Hall Hotel and Spa which is located to the south of the site. As such, the proposed health complex is considered to form a positive tourism development which can be considered acceptable in countryside locations as set out within national planning policy.

Members are advised that the application is also supported by a sequential test which sets out that there are no available sites within the settlement boundary and town centres in the local area which are suitable for the proposed use to further justify its location outside of the settlement boundary. This report is considered an appropriate and acceptable assessment.

Furthermore, the proposal would be located at the site of a historic dwelling that benefits from planning permission for the construction of a new replacement dwelling. As such, the proposal would not see any further encroachment of development into the countryside in comparison to the earlier approved scheme which could still be developed. Whilst the proposal would introduce a commercial use into the countryside, access to the site would only take place via a minibus connecting the existing hotel and spa to the site. As such, this would allow for visitors to use sustainable modes of travel to and from the site in line with national planning policy and policy AW2 of the Local Development Plan.

The car park is also located outside of although adjacent to the settlement boundary. However, the proposal seeks to regularise an existing car parking which has been utilised for a number of years and does not seek further expansion into the countryside.

As such, the principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

The main site is located within the Mynydd Hugh and Llantrisant Forest Special Landscape Area (SLA) with the surrounding area forming steep valley hillside and dense forestry. It is noted however that the plot itself is set within a natural plateau/clearing in the hillside and has historically been occupied by a large dwelling.

As set out above, the proposed development would be of a similar scale and design to the previously approved replacement dwelling at the site. It is considered that the design and appropriate finishes would retain a rural character at the site, would ensure the proposed development is not overly prominent within its surroundings, and would actually form an attractive feature within the hillside improving the previous derelict visual appearance of the site.

It is also noted that the redevelopment of the site would bring it back into beneficial use after being vacant for a number of years and used for the storage of building materials and waste to the benefit of the visual appearance of the area.

Members are advised that whilst the submitted plans lack detailed information with respect to the proposed landscaping and boundary treatments, it is considered that these could be secured via condition.

In respect of the works proposed in association with the regularisation of the car park, as the site is relatively level throughout no significant engineering works would be required as part of the development. The proposed development works would only involve the permanent surfacing of the site and creation of a relocated vehicular access along Lanelay Lane. Therefore, whilst the development would inevitably alter the current appearance of the site and would form a visible feature within the immediate locality, given the minor nature of the works, it is not considered the car park would appear dominant within the wider locality.

As such, it is considered that the proposals will not detract from the character or appearance of the area and are considered acceptable in this regard.

Impact on residential amenity and privacy

The closest residential dwellings to the proposed health complex and venue are located roughly 120m to the south. These properties feature no views of the site and

are separated from it by dense woodland. As such there would be no impact in this regard.

With regard to the works to the car parking area, given the limited engineering works required it is not considered that the proposal would result in any physical adverse impact upon the amenity of neighbouring occupiers. It is noted however that the proposal would likely result in an intensification of the use of the car park through the creation of the health complex and venue. However, it is considered that surrounding occupiers would have become accustomed to coming and goings associated with the existing use of the car park, albeit an unauthorised use, and any further increase is not considered would result in an impact great enough to warrant a refusal.

It is also noted that no letters of objection have been received following consultation with local residents. As such, 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 and Parking Provision

The Council's Transportation Section were notified during the consultation period in order to provide comments on the suitability of the scheme with regard to highway safety and parking provision. The following comments have been received:

Access

The proposal's principal access would be served from 'Road to Forest View', a rural lane that runs between Talbot Green and Ynysmaerdy and serves a number of farms and Smilog Woods which is utilised by horse riders, cyclists, and walkers.

The main site which benefits from planning consent for a residential dwelling, giving rise to concerns with regard on road parking along the substandard lane to the detriment of highway safety and free flow of traffic. The lack of segregated pedestrian footway facilities and sections where there is no space for pedestrians to step off the carriageway due to the adjacent hedge banks results in potential conflict between vehicles and pedestrians, which gives major cause for concern. The road also lacks adequate geometry, highway drainage, street lighting and forward vision, all of which give cause for concern.

The Transport Statement at paragraph 1.1 indicates that the health spa would operate as an extension of the existing in conjunction with the existing Lanelay Hall Hotel and Spa located at Ffordd Hann. Paragraphs 2.13 and 2.14 of the TS confirms that the proposed site would operate as an annexe to facilities at Lanelay Hall and guests/visitors and staff would be transported between the two sites by an electric shuttle bus and with all guests required to check into reception at Lanelay Hall with no visitors travelling directly to the annexe.

Paragraph 3.5 of the TS indicates that the annex site would operate between 09:00 am and midnight every night of the week. The TS identifies nine suitable locations where there is sufficient width available for opposing traffic to pass between Lanelay Hall and the annex site as shown in Figure 5 of the TS.

Section 4 of the TS addresses highway impact and confirms that an ATC survey undertaken in November 2021 indicated a daily peak hour flow of 168 two-way trips during the AM Peak and 225 two-way trips during the PM Peak, with a weekday daily flow of 1,704 vehicles. The completion of the survey within the period of the Covid Pandemic is noted, however, at the time of the survey no restrictions on movement were in effect.

The TS contends that the annex would be adequately served by 2 two-way trips in any given hour which would be less than 1% of the existing baseline traffic. The TS includes a swept path analysis that indicates adequate space within the development site to accommodate the minibus and facilitate turning to allow access and egress in forward gear and with electric gates set back 7m from the edge of carriageway to allow vehicles to await the opening of the gates without obstruction of the highway. Whilst the trip generation represents an increase over the consented permission for a dwelling, (approx. 6 -10 trips per day), it is not considered that the proposed trip generation of 2 return trips per hour, would warrant objection and on this basis access to the site is considered, on balance, to be acceptable in terms of traffic impact.

Vision at Spa Access

The speed limit along the lane is unrestricted, however, the lane is narrow with periodic passing places and consequently speeds are significantly lower. The access is located on a straight section of the lane with bends at each end. Vision to the left is 2.4 by 160m and vision to the right is 2.4 by 140m which in accordance with TAN 18 would be acceptable for the likely speeds of vehicles between 40 and 50mph and extends sufficient to allow approaching vehicles to stop within a passing bay should a vehicle pull out.

Parking

The submitted TS sought to address concerns with regard to the parking of vehicles associated with the proposed annexe site by the implementation of a Parking Management Strategy, (paragraph 3.23), to address concerns that overspill parking would occur in the vicinity of Tŷ Maelwg, however, the proposed Parking Management Strategy is reliant on sufficient parking at Lanelay Hall within an overflow carpark which has previously been used to serve overflow parking associated with Lanelay Hall and which has been included within the current application.

Paragraph 2.4 of the TS indicates that the overflow carpark at Lanelay Hall would have a capacity of 60 vehicles, however, measurements did not accord with dimensions measured on site giving rise to concerns that lack of parking for Lanelay Hall and the proposed Spa development would result in on street parking within the adjacent residential development to the detriment of highway safety and free flow of traffic. In

response the applicant has provided amended plans based on actual dimensions available on site (Drawing WAL 5006-2PD-001) which indicates that up to 52 parking spaces could be accommodated. This is likely to be a maximum figure as the proposed gravel carpark surface would not be able to be marked with individual parking bays.

On the basis that the ground floor of the Spa could be considered as a restaurant bar, as set out in the RCT SPG Access Circulation and Parking (March 2011) it would require 1 commercial vehicle space and 1 space per 3 staff and 1 space per 5-7m² of public area including servery. The TS at paragraph 3.5 indicates 10no. staff on site at a given time requiring 1 space per 3 staff i.e. 3 spaces. This would result in a parking requirement of 30-41 spaces for the ground floor alone with no information provided with regard the 1st floor usage although use of the treatment rooms would be cross linked with the first floor facilities. The TS indicates that the site would also host late night events, however, no details of the nature of these events and numbers of attendees has been provided. The revised car parking layout WAL 5006-2PD-001 shows a layout that would provide a total of 52 car parking spaces within the overflow carpark which would potentially accommodate existing overflow parking from Lanelay Hall in addition to the proposed Spa development. Given that the parking for Lanelay Hall and the Spa can be managed as a whole and trips would be potentially cross-linked the parking provision is considered to be acceptable, on balance.

Vision at Carpark Access

Vision from the existing unconsented carpark area is substandard and constrained by the adjacent stone walls and are significantly below the distances set out within TAN 18: Transport. (2.4m by 3.5m to the left and 2.4m by 4.2m to the right).

An Automatic Traffic Count and speed survey has been undertaken by the applicant which indicates 85% speeds of 33.4 mph northbound towards the unrestricted section and 33.5 mph southbound towards the 30mph speed restriction.

The submitted carpark layout shown on drawing WAL 5006-2PD-001 shows that the access relocated approximately 5m to the north and the stone boundary walls reduced in height would provide vision splays of 2.4 by 48m to the north (right) and 2.4m by 22m to the south (left) with 48m vision available to the centreline.

Since the survey was undertaken the default 20mph speed limit reduction has taken effect reducing the speed limit on approach from the south to 20mph. Whilst there is no evidence to indicate reduced approach speeds from the south (left of the junction), as a result of the change of speed limit to 20mph, adequate vision would be available to the right which would allow vehicles to ease out to gain adequate vision and on this basis vision at the amended access is considered acceptable, on balance. As a consequence of the relocation of the access the speed limit signage will need to be relocated and the applicant will need to agree the location of the signage and any associated signage or changes through a Traffic Regulation Order with the Councils Traffic Services section, which can be conditioned accordingly.

A condition is also suggested to ensure that at least a 10m section of the carpark access tie in is surfaced in permanent materials to prevent gravel from the carpark being tracked onto the lane creating a hazard to road users.

Sustainability

The proposed development lacks accessibility to public transport services, segregated pedestrian/cycle connectivity and the general substandard nature of the local highway network would discourage trips by foot and bicycle in favour of private motor vehicles contrary to Local and National policy. However, the proposed means of access to and from the spa site by means of the proposed electric shuttle bus running between Lanelay Hall, overflow carpark and the spa site would to a degree mitigate concerns with regard lack of access by sustainable modes of travel.

Taking the above into account, the application is considered acceptable in this regard.

Public Health and Protection

The Public Health and Protection Division have no objection to the scheme but suggest several conditions be attached to any consent in relation construction noise, waste, dust and lighting. Whilst these comments are appreciated, it is considered that construction noise, waste, dust and lighting matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

In addition, the Public Health and Protection Division have raised concerns associated with the provision of a private water supply and the potential impact upon existing private water supplies within the locality and have therefore requested relevant conditions are attached to any consent. However, as above, these matters are controlled by separate legislation and an informative note has been included instead.

Ecology

The application is supported by the Ethos Environmental Planning, Assessment of Impacts on Bat Roosts at Ty Maelwg report, dated 2021. The Report concludes that the proposal would not have any undue impacts upon the bat house required as part of the European Protected Species Licence required for the previous application. This is not disputed following consultation with the Council's Ecologist who raised no objection in this regard. In addition, no objection was raised following consultation with Natural Resources Wales when considering the impact upon the bat house. However, a condition is recommended to require the details of the fencing to reduce noise and delineate the bat house from the parking and turning area should the scheme gain consent.

Notwithstanding the above, in line with Section 6.4.5 of Planning Policy Wales a condition is set out below to require details of ecological mitigation and enhancement measures to provide a net benefit to biodiversity.

Taking the above into account, the application is considered acceptable in this regard.

Drainage and Flood Risk

No objections have been raised or conditions suggested by the Council's FRM section. In their assessment of the scheme they commented that the site is not within an area of surface water flood risk and that the proposed development works would have to gain separate Sustainable Drainage Systems (SuDS) approval from the Council as the Sustainable Drainage Approval Body (SAB) prior to any development works taking place which would ensure no drainage/flood risk issues would arise. Further, the drainage information submitted with the application highlights that the requirements of TAN15 can be met on site.

Dwr Cymru Welsh Water commented that they have no objection to the scheme and do not suggest any conditions as the applicant proposes to utilise an alternative to mains drainage which would be regulated by NRW and the Local Authority Building Control Department / Approved Inspector.

Other Issues

The application site is located in a Sandstone Resources Region. Policy AW14 seeks to safeguard sandstone resources from any development that would unnecessarily sterilise them or hinder their extraction. In this instance mineral extraction has already been sterilised at the site by the previous development and the established residential use. As such there is no objection in this respect.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Whilst the application site is located outside of the defined settlement boundary, the site would form part of the existing Lanelay Hall Hotel and Spa which is a well-established hospitality and tourism facility offering a range of leisure uses. The development would provide a dedicated space for the business to operate and grow and would therefore allow for the expansion of an existing hospitality business which would enhance the tourism offer of the local area and wider County Borough.

Furthermore, the scale and design of the proposal would have no adverse impact upon the character and appearance of the site or the surrounding area, the amenity of residential properties, highway safety surrounding the site, or biodiversity. 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

- JW1052-103 (Proposed Plans)
- JW1052-104 (Proposed Elevations)
- JW1052-105 (Proposed Elevations)
- JW1052-106 (Proposed Site)
- JW1052-107 (Proposed external lighting plan)
- JW1052-110 Rev A (Site Location and Block Plan)
- WAL5006-2PD-001 (Overspill Car Park Layout)

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

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

3. The development shall not be brought into beneficial use until space has been laid out within the spa site for vehicles to be parked in accordance with the submitted plan JW1052-106 and details of the surfacing in permanent materials and tie in of the access to the carriageway have been approved by the Local Planning Authority. The spaces shall be retained for the parking and turning of vehicles thereafter.

Reason: To ensure construction does not have an adverse impact on the highway and 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.

4. Prior to beneficial use a Travel and Parking Management Strategy in line with the measures outlined within the Transport Statement shall be submitted to

and approved in writing by the Local Planning Authority. The approved Parking Management Strategy shall be implemented and maintained for the lifetime of the development.

Reason: To mitigate lack of access by means of sustainable travel for guests and staff and potential for the proposed development to generate indiscriminate on street parking to the detriment of highway safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Before the development is brought into beneficial use the means of access to the proposed carpark, access tie into the carriageway, surfacing of a 10m section of the access in permanent material, together with the vision splays and turning facilities and relocation of highway speed limit signage, shall be laid out and constructed in accordance with details to first be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site. The parking and turning areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.

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

6. Surface water run-off from the proposed development shall not discharge onto the public highway or be connected to any highway drainage system.

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

7. Prior to commencement of any works on site details of a fence to reduce noise and delineate the bat house from the parking and turning area serving the development shall be submitted to and agreed in writing by the Local Planning Authority. The fence shall be installed and retained in perpetuity during the construction period and operation of the property.

Reason: To ensure that the proposal does not impact upon protected species in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall take place 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.

- 9. 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.

- 10. No development shall commence on site until a scheme for biodiversity mitigation / 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.

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

Reason: To ensure that the new development will 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.

- 12. The health complex and car park hereby approved shall at all times be operated ancillary to the main Lanelay Hall Hotel and Spa, and at no time shall they be operated as a separate, independent place of business or for independent residential use.

Reason: To define the scope of this consent, and in the interests of residential amenity and highway safety in accordance with Policies AW2 and AW5 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

08 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1052/10 (KL)
APPLICANT: Vision of Hope
DEVELOPMENT: Change of use from guest house and ancillary bungalow to a residential drugs and alcohol rehabilitation centre (Use Class C2).
LOCATION: FIFTH AVENUE GUEST HOUSE, FIFTH AVENUE, HIRWAUN INDUSTRIAL ESTATE, HIRWAUN, ABERDARE, CF44 9UN
DATE REGISTERED: 31/10/2023
ELECTORAL DIVISION: Hirwaun, Penderyn and Rhigos

RECOMMENDATION: Approve, subject to conditions

REASONS: Whilst the application site is situated outside of the defined settlement boundary, it has been operated as a guest house (Use Class C1) for many years and, given that the proposed use of the site as a residential rehabilitation centre (Use Class C2) can be facilitated within the fabric of the existing building without any building works or alterations being required, it is not considered that the proposal to change the use of the site from Class C1 to C2, for the purposes identified, would result in a significant change to the overall character of the site.

There is some concern with regards to the secluded location of the site, however, it is accepted that such locations can aid in the rehabilitation of individuals by removing them from society and reducing any potential for temptation to revert back to previous routines and habits.

Furthermore, given the location of site in relation to surrounding residential and commercial properties, it is not considered that the use would be detrimental to the amenity of existing neighbouring residents and businesses.

As such, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is considered to be of a nature that warrants the involvement of the Planning and Development Committee.

APPLICATION DETAILS

Full planning permission is sought for the change of use of Fifth Avenue Guest House and its ancillary bungalow, which are situated on Fifth Avenue on the outskirts of Hirwaun Industrial Estate, to a residential rehabilitation centre for individuals suffering from drugs and alcohol addiction.

The proposed change of use would be undertaken within the fabric of the existing building and no physical internal or external alterations would be required to facilitate the proposed use. The proposal would consist of the following accommodation, which is largely the same as the existing arrangement:

Main Building

- Reception and breakfast room, kitchen/dining room, separate kitchen and utility area, a lounge and separate sitting room, WCs and 5 en-suite bedrooms at ground floor.
- 7 en-suite bedrooms and 3 standard bedrooms served by a separate shared bathroom at first floor.

Detached Bungalow

- Lounge, kitchen/breakfast room, utility room, 3 bedrooms and 1 bathroom.

It is indicated that the centre would be operated by a Christian charity that successfully rehabilitates ex-offenders and those suffering from drugs and alcohol addiction. Residents of the centre would be reintegrated back into society through education and volunteering. It is understood that the charity currently operates a successful facility elsewhere and the proposal would enable their relocation.

Details submitted with the application indicate that the use would accommodate up to 20 individuals and that the use would predominantly be operated from the main guest house building. It is understood that two of the bedrooms in the main building would be reserved for sleep in staff whilst the ancillary bungalow would likely be occupied by a member of staff and a small number of residents of the facility that have almost completed the rehabilitation programme and are almost ready to live completely independently.

No changes are proposed to the existing access and parking arrangements with the parking spaces to the front of the building and the integral garages of both the main building and the ancillary bungalow being retained. It is indicated that the wider site (not within the application site but identified as being in the applicant's control) is currently used to keep a small number of animals and the applicant has confirmed that they would continue to use the land for this purpose to help support the residents with the animals playing an important part in their therapy.

The application is accompanied by a supporting statement which sets out the intended operation of the proposed use:

- It is indicated that the charity is run by 1 manager and 4 trustees (with more set to be appointed in the near future). Each of the trustees bring different expertise to the Trust.
- The current facility employs 7 members of staff.
- The referral/vetting process for potential residents is via the completion of an application, following referral from the prison service or a probation officer. Applicants deemed suitable are offered an interview prior to being offered a place at the facility.
- Each resident has a clear one-year plan in place and these are designed around the individual and their interests and aspirations. The plans include basic skills, literacy, numeracy and digital competence.
- If a resident chooses to leave the facility, every effort is made to signpost them to other facilities/suitable placements. The charity has worked to build good relationships with other agencies.
- For those individuals that have completed the programme, support is provided by the charity in order to help secure employment and accommodation.
- Medication reduction is managed in conjunction with formal addiction agencies and local GPs.
- The rules of the facility include zero tolerance of verbal or physical outbursts, no illegal substances permitted on site and no leaving the site without staff supervision.
- Residents start off in the main house, under close 24-hour supervision. Only once they have progressed and can be trusted do they graduate to the bungalow (manager's accommodation). These residents will take more responsibility for themselves, before going back into the community, but they will still have the full support and guidance of the charity if required.
- It is advised that the application site is ideal for the proposed use as it is not near the town, meaning that alcohol and drugs are not 'on the doorstep' and the property is already set up with individual accommodation due to its current use as a guest house.
- The success of the charity is very important to the Trustees and policies and procedures have been put in place to protect against and ensure that the charity is run well and that things do not 'go wrong'.
- One of the main priorities is that both the residents and employees feel safe and are able to flourish.
- All safeguarding concerns, current and historical are compiled into a report and shared with Trustees.
- Any concerns that Trustees have are submitted to Social Services, including highlighting any concerns the Trustees have over how the charity has dealt with things in the past.
- The Charity never carries out the investigation, simply presents their evidence.
- Key policies are in place, particularly with regard to safeguarding, whistleblowing, data protection and health and safety.

- All staff are made aware of these key policies and these are reflected in every day procedures and the culture of the charity.
- A code of conduct is in place for staff and residents.
- Articles and Schemes of Delegation are in place.
- Further discussions are ongoing with potential trustees that could add further value to the charity.

SITE APPRAISAL

The application site relates to an irregular shaped parcel of land which is located off Fifth Avenue on the northern edge of Hirwaun Industrial Estate. The site measures approximately 0.4 hectares in area and is currently occupied by an existing guest house and an associated detached bungalow. Access to the site is off Fifth Avenue to the north with numerous off-street car parking spaces being located to the front of the main building. Parking is also provided in front of the bungalow and within the integral/attached garages that serve each of the buildings.

The wider site, which is not subject to this planning application but is identified as being within the applicant's control, is currently used for the keeping of animals.

As a result of its position on the edge of Hirwaun Industrial Estate, surrounding land uses are typically commercial or industrial in nature, although the nearest commercial/industrial neighbour is situated some 200 metres away to the south-east and some 200 metres away to the north-west (Nantllechau Farm which Members very recently approved permission for the change of use of the land to Class B8 storage, including the siting of 50 no. storage containers). Further industrial uses associated with Hirwaun Industrial Estate are situated on the opposite side of the A465.

The nearest residential properties are situated approximately 250 metres to the west (Nantllechau Farm), and 300 metres to the north (Cae'r Llwyn Bungalow) and north-east (Tai Cwmpplau Farm). Further residential properties are located in Halt Road, approximately 0.5km to the southwest (as the crow flies).

PLANNING HISTORY

17/0783	Fifth Avenue Guest House, Fifth Avenue, Hirwaun Industrial Estate, Hirwaun	Proposed sunroom domestic extension together with a kitchen extension to guest house	Granted 08/09/17
13/0544	Fifth Avenue Guest House, Fifth Avenue, Hirwaun Industrial Estate, Hirwaun	Extension to provide self-catering accommodation	Granted 28/10/13

08/1817	Fifth Avenue Guest House, Fifth Avenue, Hirwaun Industrial Estate, Hirwaun	Staff Management bungalow (reserved matters)	Granted 26/01/09
08/1815	Buckleys Bungalow, Fifth Avenue, Hirwaun Industrial Estate, Hirwaun	New offices and service depot	Granted 06/03/09
08/1241	Fifth Avenue Guest House, Fifth Avenue, Hirwaun Industrial Estate, Hirwaun	Staff Management bungalow (outline application)	Granted 10/11/08
07/0978	Fifth Avenue Guest House, Fifth Avenue, Hirwaun Industrial Estate, Hirwaun	Conversion of attic space to provide 5 no. single hotel rooms and construction of stairwell annexe	Granted 31/07/07

PUBLICITY

The application has been advertised by means of direct neighbour notification letters and through the erection of site notices in the vicinity of the site. A press notice has also been published in a local newspaper. One letter of objection has been received as a result of this exercise and is summarised as follows:

- There is no need for such a facility in our local area.
- Residents would rather see tourism brought here instead.
- The facility would be tucked amongst a developing area with the new road expected to bring new tourist ideas and the proposal risks such plans from happening.
- The proposal is out of place.
- The proposal would serve those from far outside the valleys and would not benefit our area.

CONSULTATION

The following consultation responses have been received:

Flood Risk Management

The proposal does not include any construction works that will result in a change in the external footprint of the existing structure. As such, it is not envisaged that the development would result in an alteration of the sites surface water discharge rate and no objections are raised.

Highways and Transportation

No objection or condition recommended. The response is considered in more detail in the *Access and Highway Safety* section below.

Hirwaun and Rhigos Community Council

Objections are raised for the following reasons:

- There is a lack of suitable holiday accommodation in the area and to change the use of this hotel would be to the detriment of the village.
- It would also reduce any employment opportunity near to the village.
- There is a similar facility in RCT where residents are not contained to the facility and residents have frequently been seen sitting outside of the perimeter of the facility, drinking alcohol in full sight of members of the public, even though the facility is supposed to be for rehabilitation.
- This is not the impression that Rhigos community want tourists to have of the village and surrounding area.
- The property is in very close proximity to businesses on the estate and not too far away from the village of Rhigos.
- Residents do not want residents of such a facility near to the village, or near to the school and local children's homes where vulnerable children and young adults reside and who can easily be influenced.
- The industrial estate is used by locals to walk and cycle and it is not fair on them that they could possibly be subjected to this kind of behaviour.

National Grid

No objection. It is advised that a separate application will need to be made to National Grid if a new connection or service alteration is required.

Public Health and Protection

No objection. It is advised that a former ordnance factory once occupied the site and a waste disposal site is also located within 250m, both of which are considered as significant areas of contamination. It is recommended that a desk top study and report be undertaken in order to identify and evaluate all potential sources and impacts of contamination relevant to the site, its proposed use and end users. Following a review of the findings, further contaminated land conditions may be recommended. The response is discussed further in *Contaminated Land* section below.

South Wales Police

No objections raised however recommendations have been made for if/when any alterations or refurbishments are required. It is further recommended that a robust

Management Plan should be in place and visited regularly to ensure that it is for purpose. Staff should liaise with the Local Neighbourhood Inspector prior to the centre opening to encourage good relationships and a clear understanding as to how the premises will operate.

Welsh Water

No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located outside of the defined settlement boundary but is within the designated boundary of Hirwaun Industrial Estate. The following policies are considered to be relevant in the determination of this application:

Policy CS9 – Waste Management: allocates land at Hirwaun Industrial Estate to accommodate a range of waste management options.

Policy AW2 – Sustainable Locations: promotes development in sustainable locations which includes sites that are within the defined settlement boundary that would not unacceptably conflict with surrounding uses, that have good accessibility by a range of sustainable transport options and have good access to key services and facilities.

Policy AW5 – New Development: sets out criteria for appropriate amenity and accessibility on new development sites.

Policy AW6 – Design and Placemaking: encourages proposals which are of a high standard of design, and are appropriate in terms of siting, appearance, scale, height, etc.

Policy AW8 – Protection and Enhancement of the Natural Environment: seeks to preserve and enhance the distinctive natural heritage of RCT by protecting it from inappropriate development.

Policy AW9 – Buildings in the Countryside: states that the conversion of buildings outside the defined settlement boundaries will be supported where the existing building is structurally sound.

Policy AW10 – Environmental Protection and Public Health: development proposals will not be permitted where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of land instability, flooding, contamination etc.

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
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.

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 12: Design;
PPW Technical Advice Note 18: Transport;
Manual for Streets

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

This application seeks to change the use of two existing buildings, which are situated within the same curtilage, from a guest house and its associated managers accommodation bungalow (Use Class C1) to a residential rehabilitation centre (Use Class C2) for individuals suffering from drugs and alcohol addiction.

The application site is situated on the northern edge of Hirwaun Industrial Estate and outside of the defined settlement boundary, as prescribed in the Rhondda Cynon Taf Local Development Plan. The site is also allocated for waste development under Policy CS9, as is the wider industrial estate. Whilst these factors would ordinarily go against the favour of the proposed development, firstly owing to the unsustainable location of the site (as defined by Policy AW2) and secondly due to it potentially conflicting with surrounding uses and prejudicing development for waste from coming forward in the future, it must be noted that the proposal relates to two existing buildings at the site that have been in use as a guest house and its associated residential bungalow for many years. Furthermore, whilst residential rehabilitation centres would

ordinarily be encouraged within sustainable locations and within defined settlement boundaries in order to aid the integration of individuals back into society, it is accepted that there are certain factors that could weigh in favour of siting such uses in a more secluded area.

As indicated elsewhere in this report, the existing guest house already provides individual accommodation through a series of en-suite and standalone bedrooms and shared facilities in the form of kitchens, bathrooms etc. and details submitted with the application confirm that the proposed rehabilitation centre can be facilitated within the existing fabric of the two buildings, without any physical alterations or building works required.

Policy AW9 of the LDP seeks to support proposals for the alteration, renovation or conversion of existing buildings outside the defined settlement boundaries for residential, employment, community or tourism uses, providing that it can be demonstrated that the existing building is structurally sound or is capable of being made so without substantial major external alteration. In this case, both properties appear to be in excellent condition, being used as guest house for many years, and no works are required to facilitate the proposed use. Furthermore, the general use of the building would not be significantly different to its current use as a guest house in that both uses would offer overnight accommodation, albeit for differing lengths of time. The provision of care and support as a rehabilitation centre would also be a differentiating feature. As such, it is not considered that there would be a significant change in the overall character of the site and, given that the proposal would not result in any increase in floor area of the existing buildings, it is doubtful that the proposal would result in a marked increase in intensity of use of the site.

In terms of siting this particular type of development in more rural areas, there is some concern that individuals would essentially be secluded from society whilst undertaking their rehabilitation programme and this could potentially create challenges with the integration of individuals back into society towards the end or following their rehabilitation programme, particularly given that there are no public services or facilities available in the immediate area. However, it is accepted that this could be a positive situation for individuals and help in their overall rehabilitation as there is less temptation of drugs and/or alcohol due to those substances not being readily available on the doorstep. Indeed, the applicant has indicated that they already operate a successful facility elsewhere, outside of RCT, the success of which they consider to be down to it being situated on a farm and away from society.

It must also be noted that proposals for rehabilitation centres usually come with some degree of concern and objection from local residents who do not wish for such establishments to be sited within any distance of their homes due to the perceived impact that they would have upon their amenity and public safety. This issue is considered in more detail in the *Residential Amenity and Privacy* section below however, it must be noted that in this case, the nearest residential properties are

situated between 250 metres and 500 metres away and would not be immediately or directly affected by the proposal.

Two letters of objection have been received in relation to the proposal; one from a member of the public (no address provided) and another from Hirwaun and Rhigos Community Council. Both objections refer to the importance of the area and the existing guest house in supporting and encouraging tourism in the local and wider area and whilst this is duly noted and the loss of the guest house would indeed be regrettable, it is understood that the current owners of the guest house have put the property up for sale, with the applicant seeking to purchase the property following any grant of planning permission for the proposed use. As such, it can only be assumed that the current owners of the guest house no longer wish to run the guest house business and therefore the continued use of the site as a guest house cannot be guaranteed regardless of the outcome of this or any other potential application.

Whilst the retention of the guest house would undoubtedly be preferred due to its potential to support tourism in the area, this application for the change of use of the site to a residential rehabilitation centre must be considered on its own merit, and in light of the assessment set out above, the principle of changing the use of the property to a residential rehabilitation centre is considered to be acceptable, subject to the consideration of the following material planning matters:

Residential Amenity and Privacy

The application site is situated some distance away from the nearest neighbouring residential and commercial properties and the proposal would not result in any physical changes to the site that would result in any adverse impact upon the nearest neighbours in this regard. However, it will be important to consider the impact of the proposed use upon existing residents, particularly given that such uses can very often be associated with negative perceptions in terms of the issues they may introduce to the locality.

As noted in previous sections of this report, other than for an element of care and the presence of staff, it is considered that the development would generally exhibit the same characteristics as that of the existing use. Furthermore, it is not considered unlikely that the use would generate a high degree of coming and goings, or a level of activity, that would be very different from the existing use. The site is situated some distance away from the nearest neighbouring residential and commercial properties and, as such, it is unlikely that the comings and goings associated with the use would attract the attention of neighbours.

The application is supported by an operational statement which sets out the general operation of the proposed use. The statement has been reviewed by South Wales Police (who also met with the applicant to discuss the details of the proposal) and **no objection is raised** in this regard. This outcome is markedly different to the facility previously proposed in Penywaun and considered by Members in March 2023, in

which South Wales Police raised a strong objection due to the lack of information provided to support the application (planning ref. 22/0395). Indeed, information provided with this application indicates that the referral process would be via the prison service/probation officer rather than through outreach work undertaken by the charity and safeguarding and suitability checks would be undertaken prior to any individual being invited onto the programme. Furthermore, the statement indicates that the charity considers the safety of their residents, employees and local residents to be of great importance and have implemented a number of safeguarding and health and safety policies to ensure the success of the facility and its integration within its surroundings. Whilst the use is still unlikely to require regulation by Care Inspectorate Wales, the fact that the referral process will be via the prison service/probation service/Dyfodol will require the facility to be operated appropriately and in accordance with certain rules and regulations.

It is noted that two letters of objection have been received in relation to the proposal with one of those highlighting the proximity of the site to the village of Rhigos and the impact that the proposed use could have on the local primary school and a number of residential children's homes. Whilst these concerns are noted, the village of Rhigos is situated approximately 1km to the south-west (as the crow flies), and given that the application site is located on what can effectively be described as a ring road around Hirwaun Industrial Estate and that the site can be accessed without entering the village, it is not considered that the village of Rhigos would be directly affected by the day to day operation of the proposed use. Whilst it is accepted that residents of the facility may enter the village, the applicant has provided a statement to support the application which indicates that the residents would not ordinarily be permitted to leave the facility without supervision so the chances of them entering the village unaccompanied would be unlikely.

The objection further refers to a similar facility that is operated elsewhere in RCT, highlighting issues of anti-social behaviour associated with that facility. Whilst the concerns raised by the objector are indeed noted, the operation and management of that facility cannot be taken into account in the determination of this application. Indeed, the management of one particular facility cannot be transferred and compared with the management of another, particularly when they are not operated by the same company/charity and may have different operational policies and values. As indicated above, the supporting statement provided by the applicant includes sufficient information to demonstrate how the use would operate and whilst it would not be possible to guarantee that no issues would ever arise during the operation of the facility, South Wales Police are satisfied that the use would be appropriately managed to limit any potential operational issues.

It is therefore considered that any perceived risk to public safety would be adequately dealt with by the Charity and it is not considered that the proposed use would have a detrimental impact upon the amenity and privacy of surrounding residential properties and the wider community. The application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Character and Appearance

As indicated previously, the proposal would not result in any physical alterations or building works to either of the two properties located within the application site. The proposed use would therefore be facilitated within the fabric of the existing buildings and they would visually remain the same.

As such, it is not considered that the proposal would have any impact upon the character and appearance of the application property or the surrounding area and the application would comply with Policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

Access and Highway Safety

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

Access

indicate that the proposal would be served off an existing access point onto Fifth Avenue, which is considered acceptable for safe vehicular and pedestrian movement.

Parking

The proposed use would incorporate 18 no. bedrooms (15 within the main building and 3 in the adjacent bungalow) and details submitted with the application indicates that there are currently 7 members of staff.

The Council's Supplementary Planning Guidance: Access, Circulation and Parking indicates that the proposed use requires 1 space per resident staff, 1 space per 3 non-resident staff and 1 space per 4 bedrooms. The proposed 18 bedrooms require 5 off-street spaces with 3 spaces required for staff, which takes the total parking requirement to 8 no. spaces. The proposal provides 20 spaces within the site which is in excess of the requirements set out in the SPG.

In light of the comments received from the Highways and Transportation Officer, 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, as such, the application would 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.

Contaminated Land

As indicated in the *Consultation* section above, the Council's Public Health and Protection team highlighted the potential for contamination to exist on site and it is recommended that a desk top study and report be submitted to support the application. Whilst this recommendation is acknowledged, the proposal does not involve any building works whatsoever and, if Members are minded to approve the application, would result in one group of people moving out of the buildings and a new group of people moving in. Furthermore, the use of the building could change to any other use within the C1 Use Class (hotel or boarding accommodation) without planning permission being required.

As such, it is not considered that it would be reasonable to ask for this information to be submitted as part of the application and any condition to secure the information would not pass the tests for conditions in that it would be unreasonable and unnecessary.

Other issues raised by objector(s)

One letter of objection has been received which questions the need for such a use in the area with further concern being raised that it would not serve local people. Further concern is raised that the use would be out of place within the area.

Whilst these concerns are noted, the need for such a use is outside of the parameters of the planning system. The use is unique in that it does not necessarily require local people to be in need of such a use in that individuals would usually be re-located to another area for rehabilitation in order to remove them from their existing situations and to break their daily routines or habits/remove temptations etc and to give the individuals the best chance of success. Furthermore, issues of drugs and alcohol addiction are unfortunately becoming increasingly common and an increase in the need for rehabilitation centres in general cannot be denied. As such, the compatibility of such uses within the locality and careful consideration of operations etc. will be important in order to determine location suitability. These issues have been considered previously in this report.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the amenity of the closest neighbouring properties. The application is therefore considered to comply with Policies AW5, AW6 and AW10 of the Local Development Plan.

RECOMMENDATION: Approve

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents received on 31st October 2023 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Site Location Plan
- Site Layout Plan
- Elevation Plans
- Floor Plans

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

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PLANNING & DEVELOPMENT COMMITTEE

08 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1198/10 (JE)
APPLICANT: Bluefield Land Ltd
DEVELOPMENT: Residential development of 10 no. affordable dwellings and associated works
LOCATION: D K S TRIMMINGS LTD, CATHERINE CRESCENT, CYMMER, PORTH, CF39 9AF
DATE REGISTERED: 25/10/2023
ELECTORAL DIVISION: Cymer

RECOMMENDATION: GRANT SUBJECT TO S106 AGREEMENT.

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

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Service Director Prosperity and Development.

APPLICATION DETAILS

Full planning permission is sought for the construction of 10 no affordable dwellings and associated works at D K S Trimmings Ltd, Catherine Crescent, Cymmer, Porth.

The proposal seeks to develop 10 no. affordable units comprising of 4 no. 2 person 1-bedroom flats and 6 no. 4 person 2-bedroom houses. The proposed units would comprise 3 no. pairs of semi detached dwellings and a block of flats located towards the western boundary of the site with the internal highway running along the eastern boundary of the site.

The proposed dwellings would measure a width of 6.2 metres by a depth of 9.2 metres. The dwellings would have a dual pitched roof design with a gable end on the side elevation measuring a maximum height of 8.9 metres sloping to 5.2 metres at the eaves.

The block of flats would measure a width of 17.2 metres by a depth of 10.3 metres which includes the porch on the ground floor. The proposed building would have a dual pitched roof design with gable ends on its side elevations measuring a maximum height of 8.5 metres sloping to 5.3 metres at the eaves.

The application is supported by:

- Porth Community Engagement Event Report
- Swept Path Analysis
- Ecological Impact Assessment
- Desk Study Report
- Planning Statement

SITE APPRAISAL

The application site comprises a vacant manufacturing facility that it extends to approximately 0.2468ha. The site consists of a number of structures and buildings towards its southern boundary and an open area to the north. The site has accommodated various uses historically and appears to have fallen into disrepair over time and is now currently rundown and unkempt in appearance with the open area overgrown. The site is bounded by properties and an open area of land along High Street (A4233) to the east, a car park which previously served Ty Bronwydd to the north, a recently constructed affordable housing development to the south, and a vegetated embankment to the west that separates the site from an recreational field and open storage yard which forms part of a housing allocation within the Local Development Plan.

The wider area is residential in character and is dominated by a mixture of traditional stone built terraced houses, more recent mid 20th century social housing and a recently constructed housing development. However, the site also lies within comfortable walking distance of neighbourhood shops, local schools, sports pitches and Bronwydd Park.

PLANNING HISTORY

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

08/0596/13: DKS TRIMMINGS LTD, CATHERINE CRESCENT, CYMMER, PORTH, CF39 9AF

Residential development including demolition of existing buildings.

Decision: 30/10/2008, Grant

10/1237/23: 1- 3 GARTH HALL, CATHERINE TERRACE, CYMMER, PORTH, CF39 9HB

Demolition of former mine managers residence of 3 storeys, converted into three 2 bedroom flats (all now vacant), in the ownership of RCT Homes.

Decision: 06/01/2011, Raise No Objection

15/0213/10: FORMER GARTH HALL, CATHERINE CRESCENT, CYMMER, PORTH
Residential development (8 no. units), new access and associated works.

Decision: 24/08/2015, Grant

16/0398/38: RESIDENTIAL DEVELOPMENT AT GARTH HALL, CATHERINE CRESCENT, CYMMER, PORTH

Discharge of Conditions: 2 Site Investigation Report, 4, Landscaping, 6 Proposed Levels, 7 Knotweed, 12 Drainage, 14 Engineering Details, 18 Grit Bin, 20 Construction Method Statement, 22 Slab Levels of planning permission 15/0213/10.

Decision: 31/08/2016, Grant

16/1081/39: FORMER GARTH HALL, CATHERINE CRESCENT, CYMMER, PORTH
Non Material Amendment to permission 15/0213/10 for residential development. Elevation treatment to the timber panelling on East and West Elevations to be have full height timber panels (taken up to roof level as supposed to termination at window head level).

Decision: 10/11/2016, Grant

PUBLICITY

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

No letters of objection have been received following consultation.

CONSULTATION

Transportation Section: No objection subject to conditions.

Countryside (Ecology): No objection subject to conditions.

Natural Resources Wales: No objection.

Public Health and Protection: No objection although conditions suggested with regard to hours of construction, noise, dust, waste and contamination.

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

Dwr Cymru/Welsh Water: No objection although condition recommended in relation to surface water drainage. Informative notes also recommend in relation to proximity to a water main and sewer.

Housing Strategy: No objection raised.

Waste Services: Standard consultation response setting out that the bin collection point must be at the front of the properties at the kerbside.

National Grid: Standard consultation response noting that a separate application to national grid would be required should a service alteration or new connection be needed.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

Policy CS4 – Identifies that there is a need to provide 14385 new dwellings in sustainable locations during the plan period.

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

Policy AW1 - The policy identifies how land will be made available to meet the housing land requirement figure, and does not include the development of unallocated land outside the defined settlement boundary.

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

Policy AW4 - Details the criteria for planning obligations, including the Community Infrastructure Levy (CIL).

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

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

Policy AW8 – only permits new development where its shown that there will be no harm to locally designated sites or unacceptable impact upon features of importance to landscape or nature conservation.

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

Policy NSA10 – requires residential development in the Northern Strategy Area to have a net residential density of a minimum of 30 dwellings per hectare.

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

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

Policy NSA16 – sets out the criteria for the redevelopment of redundant and/or vacant industrial sites.

Supplementary Planning Guidance

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

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 FW2040, 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 7 – Delivering Affordable Homes – SDP/LDP allocations and innovative approaches.
- Policy 33 - National Growth Area - Cardiff, Newport and the Valleys: Cardiff, Newport and the Valleys will be the main focus for growth and investment in the South East region.

Other national policy guidance considered:

PPW Technical Advice Note 2 – Planning and Affordable Housing
PPW Technical Advice Note 12 – Design
PPW Technical Advice Note 18 – Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The current proposals involves the redevelopment of previously developed land within defined settlement limits for a use that conforms with the land uses that surround the site. The provision of modern, social housing facilities that specifically meet local needs on a brownfield site in a sustainable location is considered acceptable in planning policy terms. The proposal is therefore considered satisfactory in the context of Local Development Plan policy CS1 in terms of its relevance to providing high quality affordable housing that adds diversity to the market in the Northern Strategy Area, and in the removal of dereliction and promoting regeneration and in the context of policy AW2 supporting new development in sustainable locations.

It has also been set out by the Council's Housing Strategy Team that this affordable housing scheme has been designed by Trivallis in dialogue with them to help address the need for additional affordable housing within Porth. The unit mix and tenure proposed are in accordance with the Local Housing Market Assessment 2022/37, and, as such, this proposal satisfies Policy NSA11 of the adopted Local Development Plan.

Impact on the character and appearance of the area

The Rhondda Cynon Taf Local Development Plan supports proposals where 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 (AW 5); where they are of a high standard of design which reinforces attractive qualities and local distinctiveness (AW 6); where they are appropriate to the local context in terms of siting, scale, appearance, height, massing, elevational treatment, materials and detailing (AW 6); and where they include the efficient use of land (AW 6).

The wider area around the application site is not characterized by any one design style and this is largely a product of the way in which the community of Cymmer has developed over a considerable period of time. Though traditional valley terraces, some of very early origin dominate the locality, there are also the more recent houses located along Heol Horeb, whilst the converted chapel and factory lend further diversity to the area. There is consequently no requirement for any particular design type or material finish to be applied in this case and the area is clearly capable of absorbing those currently proposed by the applicant.

However, the siting of the buildings and their scale do need to respond to the surrounding area. In this instance, the proposal largely achieves through its design and layout with the creation of development of a similar design and layout to the recently constructed development at Catherines Crescent immediately to the south. As such, when viewed within the context of the wider area the proposal would appear as a continuation of the existing development and rounding off of the street scene.

The proposed development would prove successful in the creation of an appropriate scheme at a relatively prominent location in the area that at the same time is not overly dominant in relation to surrounding development and as such its effect on the

character and appearance of the area would be positive, particularly as it involves the redevelopment of a currently derelict site. As such the proposal is considered compliant with those elements of local development plan policies AW5 and AW6 that are relevant to character and appearance of the area.

Impact on residential amenity and privacy

With no neighbouring properties to the north or west any impact in this regard would be associated with properties along High Street to the east and Catherine Crescent to the south. The impact of the development upon these properties is discussed below.

Properties to the east of the application site along High Street are located at a lower level with the rear elevation separated from the site boundary by approximately 20 metres. As such, whilst some views of the development would be possible from these dwellings given the separate distance and elevated position of the site, when considering the built development as proposed is located towards the western boundary of the site away from this boundary which would screen the majority of the development from view, it is not considered that the proposal would result in a significant impact upon the amenity of these properties.

When considering the impact upon properties along Catherine Street to the south, the proposed development would be located alongside this development and would extend to the north away from existing properties. As such, it is not considered that any impact would be greater than the existing relationship between neighbouring properties within the area surrounding the site and is considered acceptable.

In addition to the above the previous commercial use would have resulted in a level of noise and disturbance above what is expected in a predominately residential area. Whilst bringing the site back into beneficial use would increase the number of comings and goings in comparison to the existing situation, the proposed residential development is not considered to result in any detriment with regard to noise and disturbance and would be typical of surrounding area.

It is also noted that no letters of objection have been received following consultation with neighbouring occupiers. As such, 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 and Parking Provision

The Council's Transportation Section were notified during the consultation period in order to provide comments on the suitability of the scheme with regard to highway safety and parking provision. The following comments have been received:

Catherine Crescent

The application site is served off Catherine Crescent, which has a carriageway width of 7.2m at the site access with double yellow lines on the development side. Opposite the site is Graigwen Road which is a one-way street with access out onto Catherine Crescent. Catherine Crescent provides vehicular and pedestrian access to the nearby infant's school which generates considerable traffic at pick up and drop off times and therefore a condition restricting HGV movements during this period has been suggested.

Existing Access

The site is served off an existing access point off Catherine Crescent and via an un-named adopted rear access leading to the existing factory and a number of domestic garages. The access has a carriageway width of 6.1m and a 1.8m footway leading to a sub-standard turning facility. The proposed is an adopted highway, however, due to the proposed being a secondary access and not primary access to residential development there is no street lighting provided which raises cause for concern. This concern can however be overcome by a suitably worded planning condition.

TRICS 10 Affordable Units

The Trip Rate Information Computer System has been used to assess the number of vehicular trips anticipated from the proposed development. The proposed 10 units would generate in the region of 58 daily trips with 5 in the AM peak and 6 in the PM peak. The additional traffic generated would not warrant a highway objection with 1 trip per every 10 minutes in the peak hour.

Visibility

The visibility at the access of the un-named road and Catherine Crescent in accordance with Manual for Streets & TAN 18 for a 20Mph speed limit should be 2.4m x 22m. The visibility to the right has in excess of 2.4m x 22m with the visibility to the left obscured by the adjacent boundary wall giving a vision splay of 2.4m x 8m only.

Taking into account the limited traffic generated by 10 units the critical vision is to the right which is in excess of the requirement with vehicles having the ability to slightly edge out onto Catherine Crescent to gain full vision left off the minor arm, in accordance with Manual for Streets. Therefore, on-balance, the existing access is acceptable. It is also noted that the existing factory would have generated a number of trips off this access by staff and deliveries with no reported accidents.

Junction Radii

There is concern that the junction radii are sub-standard compared to current standards of 6.0m and would result in larger service and delivery vehicles entering the site having to take control of both carriageway lanes. This would be further compromised should on-street car parking take place on the un-named access road. Therefore, should planning permission be granted a condition requiring a Traffic Regulation Order for protection of the junction preventing on-street car parking to maintain a satisfactory access for residents would be suggested.

Internal Layout

The proposed development is in excess of 5 dwellings and in accordance with Welsh Government advice and the RCTCBC Design Guide the proposed cul-de-sac shall be designed and built to an adoptable standard and conform to the standards in the above mentioned design guide.

The internal layout provides for a 1.8m footway on the development side, 5.5m carriageway and full-size turning facility which is acceptable. A condition has been suggested for full engineering design and detail to include street lighting and surface water drainage of the access leading to the proposed taking into account the access is now proposed as a primary means of access for residential use.

Parking

In accordance with the SPG Access, Circulation & Parking 2011 the proposed 2 bed dwellings require up-to a maximum of 2 spaces per dwelling with 2 per dwelling provided.

In accordance with the SPG Access, Circulation & Parking 2015 Flats the proposed 1 bed flats require 1 space per unit with 1 space per unit provided. There are 2 visitor spaces required with 1 provided. Taking into account the short term nature of visitor parking the 1 space is acceptable with 1 being able to be accommodated on-street.

The proposed provides for 1 EV car parking space within the car parking court for the flats which is acceptable and equates to 10%. The 2 bed dwellings have driveways to which the dwellings could provide EV charging.

Conclusion

The proposed is served off an existing access to a commercial premise. The existing use would have generated a number of trips by all types of vehicle including service and delivery vehicles. The proposed development of 10 affordable units would generate limited traffic (1 per 10 mins in peak hour) to and from the existing access with upgrades including a full size turning facility to ensure all vehicles can access/ egress in forward gear. Car parking complies with the SPG. On this basis no objection is raised subject to a number of highway related planning conditions.

Public Health

The application is supported by a Desk Study Report which has been reviewed by the Council's Public Health and Protection Division during the consultation period. The report sets out that there are three historic landfills within 250m of the site and made ground is anticipated to be present. As such, the standard contaminated land conditions were requested.

The Public Health and Protection Division also suggested a number of conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, waste and dust

matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

Ecology

The application is supported by the October 2023 Wildwood Ecology Ecological Impact Assessment which identifies that the site consists of a series of former factory buildings and an area of scrub including the presence of Japanese Knotweed. Reptile surveys at the site found a small population of slow worm present and therefore the report recommends a Reptile Mitigation Strategy is produced.

A Preliminary Roost Assessment found the buildings on site to have low and moderate suitability for bats. Two emergence surveys were then undertaken, and a common pipistrelle was seen emerging from Buildings 2 and 3. This survey therefore confirmed the presence of a bat roost and the requirement for a European Protected Species License has been set out by NRW following consultation.

The reports have been reviewed and considered acceptable by the Council's Ecologist who requests that all mitigation and enhancement recommendations set out in section 5 of the submitted report are conditioned should the development be granted consent.

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 to surface water drainage from the proposed development. Nevertheless, as this development would require separate SAB approval it is not considered that these conditions would be necessary or required.

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.

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. 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 instance, the only requirement in respect of Section 106 is that the developer enter into an agreement to secure the development as affordable housing in perpetuity.

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 and therefore no CIL would be payable.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of all key requirements. The proposed development is acceptable in terms of its appearance and design and in its impact on established residential development around the site. The proposals are also acceptable in terms of general highway considerations, access and car parking and would occupy an entirely sustainable location. Accordingly, a supportive recommendation is made in this case.

RECOMMENDATION: GRANT SUBJECT TO S106 AGREEMENT.

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans:
 - 00(02)100 (Location Plan)

- 00(02)101 Rev D (Site Layout)
- 211(02)200 Rev B (HT 211 Floor Plans)
- 211(02)200 Rev B (HT 211 Elevations)
- 421(02)200 Rev B (HT 421 Floor Plans)
- 421(02)300 Rev B (HT 421 Elevations)
- 2710-SK650 Rev A (Swept Path Assessment)

and documents received by the Local Planning Authority on 25/10/2023, 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. 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. Before the development is brought into beneficial use the means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted plan 2710-SK650 Rev A and approved by the Local Planning Authority. The car parking spaces shall remain for the parking of vehicles in association with the proposed thereafter.

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

5. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the existing access road and proposed road layout including sections; street lighting details 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: To ensure the adequacy of the proposed development, in the interests of highway and pedestrian safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Surface water run-off from the proposed development shall not discharge onto the public highway or be 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 of the Rhondda Cynon Taf Local Development Plan.

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

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

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

8. No lorries shall access or leave the site between the hours of 08:30-09:30am and 14:30-15:30 pm on weekdays.

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

9. No development shall commence 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. The development hereby approved shall be carried out in accordance with the methods and recommendations set out in Section 5 of the Wildwood Ecology, Ecological Impact Assessment, dated October 2023.

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

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

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

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

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

13. The development hereby permitted shall not be brought into beneficial use until the measures approved in the scheme referred to in Condition 13 have been implemented and a suitable validation report of the proposed scheme

is submitted and approved by the Local Planning Authority. Any validation report shall be carried out by a competent person.

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

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

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

PLANNING & DEVELOPMENT COMMITTEE

08 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0733/11 (BJW)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: Refurbish Berw Road Bridge. (Phase 3 of the works, which this application supports)
(amended drainage details, Heritage Impact Assessment (HIA) and reduced works to banking and retention of trees - received 15/11/2023)
LOCATION: BERW ROAD BRIDGE (WHITE BRIDGE), PONTYPRIDD
DATE REGISTERED: 14/07/2023
ELECTORAL DIVISION: Trallwng

RECOMMENDATION: Approve, subject to favourable referral to Cadw.

REASONS: The proposed works would further continue an informed programme of maintenance and repair works on this important listed structure and vital piece of transportation infrastructure. The works would provide ongoing maintenance and repairs to improve and increase the longevity of the structure and secure its future.

The works are well justified in the accompanying Heritage Impact Statement which provides a compelling justification for the programme of maintenance, repair and replacement works to the bridge.

It is considered that the works would be as physically minimal and visually unobtrusive as possible, while as valuable to the future conservation of this important heritage asset.

Additionally, due to the changes that have been made, following feedback from the public, the works would have a minimal impact on existing trees within the vicinity of the bridge works.

Consequently, it is considered that the proposed works would be acceptable.

APPLICATION DETAILS

Listed Building Consent (LBC) is sought for a further programme of maintenance and repair to the structure and the associated infrastructure elements of the Berw Road Bridge (also known as the White Bridge), Berw Road, Pontypridd.

The works follow previous applications for works to the bridge under reference nos. 21/0567/11; 21/970/11 and 22/0188/11 the need for which were exacerbated by the damage caused to the bridge during Storms Dennis and Ciara in February 2020.

Specifically, the proposed works would consist of general repairs to secondary elements including the following:

- Guniting repairs to the abutments;
- Masonry repairs to the wing walls;
- Waterproofing and resurfacing of the bridge deck;
- Renewal and improvement of the underground drainage (this has been amended to an upgrading of the existing drainage to the established outfall, due to feedback from residents concerned about the loss of trees);
- Renewal of lighting columns; and
- Stabilisation of the south-east embankment.

In their summary of the proposed works the agent states:

Recent works (including Phase II) have mitigated the immediate risks to the structure's integrity and repaired the bridge such that it can be re-opened and remain functional. However, additional works are proposed to maintain and restore the structure to reduce ongoing deterioration and further prolong its life and heritage.

The proposals principally aim to protect the structure and mitigate deterioration whilst resulting in minimal impact on the evidential and aesthetic values of the historic asset. As such, the predicted benefit decisively outweighs the harm to the value of the asset.

The current application is the culmination of a series of previous applications and works that have sought to quantify the deterioration of the structure and identify the best measures to arrest, maintain, repair and strengthen this important historic asset and key piece of infrastructure. This would have the dual benefit of preserving the structure for future generation to enjoy as well as the utility and connectivity that the bridge itself still provides to the community.

The previous application (Phase II) proposed the comprehensive scheme of removal, reinstatement and repair of the failed areas of concrete as well as the wholesale replacement of the guniting coating, which the previous investigative works had indicated is at the end of its limited lifespan.

The current application proposes the renovation of key secondary elements of the structure such as the bridge deck, railings, luminaires and drainage.

As well as the annotated plans and elevational details, which were amended due to feedback from the public – who were concerned that previous works had resulted in the loss of trees, the application is accompanied with the following report in support of the proposed works:

- Heritage Impact Statement by Redstart, dated December 2023;
- Conservation Engineering Review – June 2023.

SITE APPRAISAL

The structure is an early reinforced concrete bridge spanning the River Taf between Berw Road and the Parade in Pontypridd. The bridge, which carries pedestrian and vehicular traffic forms a vital link between the communities of Trallwn and Berw Road within the wider Town of Pontypridd.

The bridge has been subject to maintenance and repair following exploratory works, particularly following Storms Ciara and Dennis in February 2020.

The current proposal is to secondary elements of the bridge structure, which is a Grade II* Listed Building, record number 24848, the details of which are as follows:

Location

Spanning the River Taff approximately 0.7km NNE of Pontypridd Bridge.

History

Built in 1907, designed by P R A Willoughby, surveyor to Pontypridd Urban District Council, in association with L G Mouchel & Partners, pioneers of reinforced concrete construction. The contractor was Watkin Williams & Page. Its river span, of 35m, was when built the longest reinforced concrete arch in Britain.

Exterior

Reinforced concrete bridge of a single arch spanning the river and narrower outer round-headed arches. The river is spanned by 3 parallel segmental trusses with cross braces and vertical spandrel columns to support the deck, springing from shallow piers on common bases. The outer arches have similar detail. The parapet has been replaced with modern galvanised railings. The abutments are of rock-faced sandstone, belonging to an earlier bridge on the site. The tops of piers have added lamp posts.

Listed

Listed grade II* as a major road bridge belonging to the first generation of reinforced concrete construction, a type of structure now exceptionally rare in Wales.

PLANNING HISTORY

22/0188	White Bridge, Berw Road, Pontypridd	Various external works of maintenance, repair and replacement of defective items and materials of the historic structure including the columns, beams, arches, pier bases, parapets, abutments, adjacent walls and associated infrastructure (Application for Listed Building Consent).	Granted 17/05/2022
21/0970	White Bridge, Berw Road, Pontypridd	Trial repair works to representative portions of the Berw Road Bridge (Application for Listed Building Consent).	Granted 02/11/21
21/0567	White Bridge, Berw Road, Pontypridd	Repair works to bridge (application for Listed Building Consent)	Granted 03/09/21
18/1362	White Bridge, Berw Road, Pontypridd	Survey and investigation of the structure, to provide sufficient information to design appropriate, long term and sympathetic, repairs and strengthening (application for Listed Building Consent)	Granted 26/06/19

PUBLICITY

This has consisted of consultation with neighbouring properties, the display of site notices surrounding the site and a press notice. Due to initial concerns received by local residents the scheme was amended in terms of the drainage arrangements to avoid any works to trees. Residents were concerned that previous works included clearance works that had removed mature trees and were concerned that further mature trees would be lost.

The applicant has confirmed that the current proposed works to the bridge would not involve the loss of any further trees.

is likely that the normal loss of dead and dying trees within the immediate area are the source of these concerns and are erroneously being associated with this application.

CONSULTATION

Transportation Section – no objection

Land Reclamation and Engineering (Drainage) - From a Flood risk management (FRM) perspective we have no objection however the alteration of the drainage and its proposed improvements may require ordinary watercourse consent (OWC) and as such the applicant should engage with RCTCBC FRM in pursuant of any approval which may be relevant.

Public Health and Protection Division – no objection.

Natural Resources Wales (NRW) – has some concerns, however, these can be overcome by inclusion of a condition in relation to pollution control into the River Taff.

Countryside, Landscape and Ecology – no response received.

Pontypridd Town Council – no response received.

The following National Amenity Societies were consulted and have made no representations to the proposals:

Ancient Monuments Society; The Georgian Group; The Royal Commission for Ancient and Historic Monuments in Wales; The Society for the Protection of Ancient Buildings; The Victorian Society; The Twentieth Century Society and the Council for British Archaeology Wales / Cymru.

Rhondda Cynon Taf Local Development Plan

The current LDP's lifespan was 2011 to 2021. It has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect.

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

The application site is within the settlement boundary of Pontypridd and is a Grade II* Listed Building the site is also within the Pontypridd (Taff) Conservation Area.

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

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

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

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

Policy AW7 - development proposals which impact on sites of architectural/or historic merit and sites of archaeological importance will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

LDP Supplementary Planning Guidance (SPG): The Historic Built Environment (March 2011)

National Guidance

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

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

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

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note (TAN) 12 – Design (2016)

PPW Technical Advice Note (TAN) 24: The Historic Environment (2017)

Historic Environment (Wales) Act 2023

REASONS FOR REACHING THE RECOMMENDATION

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

Main Issue:

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

The current proposal is for works to secondary, though still important, elements of the structure, the major structural works having already been carried out as part of Phase II.

The works build on the information base of previous applications, of an investigatory nature, as well as the knowledge gained in carrying out the current, major, Phase II works, as well as feedback from the public to arrive at the current amended scheme.

It is considered that the works are well justified in the supporting reports, particularly the Heritage Impact Statement and the independent Conservation Engineering Review by Mann Williams.

It is acknowledged that some of the works would have an impact on the character and appearance of the structure and would also include works that are not reversible. However, while these are usually undesirable in terms of works to historic structures, in this instance they are reasonable, proportionate, necessary and are the subject of an extensive and exhaustive series of investigatory works that have also been peer reviewed by an independent CARE accredited consultant structural engineer.

The application would meet the aim of the previous investigatory schemes in providing a suitable, appropriate scheme to the identified secondary elements of the bridge. The proposed works would allow the continued use of the bridge as a key element of transport infrastructure, address its worsening condition while providing a repair schedule that would respect its architectural and historical significance.

It is considered that the proposals are suitably justified through the submitted supporting documentation. The Heritage Impact Statement demonstrates that the works would provide the maximum value to the heritage asset while also having the minimum visual impact on the structure and its special historical and architectural significance. It concludes that the works would result in minimal impact to the evidential and aesthetic values of the historic asset, providing a benefit that would decisively outweigh any harm to the value of the asset.

The Independent Conservation Engineering Review for this application prepared by Mann Williams makes the following conclusions of the approach adopted in the current proposal:

A comprehensive programme of repairs to the primary structure has already been agreed and is in progress (Phase II). Phase 3 of the repairs aims to address secondary elements which if not repaired now, could have a negative impact on the primary structure in due course.

Overall, the proposed works will impact the primary structure to a limited extent.

Many of the phase 3 works are irreversible, a characteristic which repairs to historic structures would normally seek to avoid. However, it is accepted that where elements are past repair (e.g. The lighting columns) there is no practical alternative.

A key point to note is that most of the disturbance to the structure in Phase 3 will be to elements which are not original, and which are of much less historical significance than the primary 1909 concrete structure.

Where works are proposed to the original structure (e.g. to the masonry wing walls) these are local, and the proposal seeks to re-use the existing stonework wherever possible. Reasonable measures are proposed to manage the process of local dismantling (and subsequent rebuilding) where required to remove embedded roots of invasive vegetation. Provided that they are undertaken by suitably experienced contractors (familiar with historic masonry repair) they should have little negative impact and improve the longevity of the structure.

Local intrusive work to the historic fabric (such as the amended drainage works) would be justified as the negative impact is minor and the potential benefit in channelling rainfall away from the back of the abutment is greater than the small loss of fabric.

The renewal of the surfacing of the deck will permit the introduction of waterproofing, protecting the 1968 concrete slab from further deterioration.

The stabilisation of the south-east embankment and the introduction of rock armour at its base will be more visually intrusive. Overall, however, the slight negative impacts of these items on the aesthetics and setting of the bridge are outweighed by the benefits of protecting the environs of the primary structure from future flood events, probably the single most significant future threat.

In conclusion the review states:

On balance, Phase 3 repairs are locally intrusive, their impacts are limited and having considered the impacts of the proposals on the historic structure from a conservation engineering perspective, it is clear that they are desirable interventions. They should effectively address the secondary elements of the bridge, helping to safeguard the

historic structure for the future while locally improving aspects of its setting and character.

It is considered that the HIS provides a compelling justification for the currently submitted programme of investigatory works to the bridge and the method statements and engineering review provide the framework and rationale for the proposed approach.

The proposed works are the logical result of thorough investigative preliminary works and additional knowledge gained from the ongoing structural works that have informed the approach taken.

While the works will have an impact on the on the secondary elements of the structure, these are either on a like-for-like basis or are replacing elements that are not as historically important as the main 1909 concrete bridge.

The comments of NRW, who previously issued of a FRAP consent, is acknowledged. Consequently, it is considered it would be reasonable and necessary to include their suggested condition to the approval.

The issue of tree loss is one that has arisen due to the works carried out under Phase 3. The applicant has assured that no further trees would be lost as a result of the current works. Despite this being a peripheral issue in terms of the Listed Building Consent, it is considered that this has been adequately addressed and led to an amendment to the drainage proposals that would be far less invasive to the structure as well as trees within the locality.

Consequently, it is considered that the proposed works would be acceptable and a recommendation for approval is offered.

RECOMMENDATION: Approve, subject to favourable referral to Cadw.

1. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)
 - GC4124-RED-78-XX-DR-S-7803_C01 - SE Embankment Scour Protection GA
 - GC4124-RED-78-XX-DR-S-7810_C01 - Masonry Abutment and Wingwall Remedial Works
 - GC4124-RED-78-XX-DR-S-7801_C01 - Existing General Arrangement.pdf
 - GC4295-RED-05-XX-DR-D-0501_P05 - Drainage Layout.pdf
 - GC4295-RED-05-XX-DR-D-0503_P04 - Drainage Details-Sheet
 - GC4295-RED-00-XX-DR-Z-0001_P01 - Site Location Plan.pdf

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

2. Notwithstanding the approved details, within a period of three months from the date of this consent, a detailed method statement for the following shall be submitted to and specifically approved in writing by the Local Planning Authority in consultation with Welsh Ministers:

The removal of invasive roots and vegetation affecting the drainage works

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

Reason: To ensure the safety and stability of the works on the structure in relation to the special architectural and historic character of the listed building in accordance with Policies AW7 and AW10 of the Rhondda Cynon Taf Local Development Plan.

3. Within three months of the date of this consent a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
- Soil Management: details of top soil strip, storage and amelioration for re-use;
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures;
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, waste water and energy use;
- Pollution Prevention: demonstrate how relevant “Guidelines for Pollution Prevention” and best practice will be implemented, including details of emergency spill procedures and incident response plan;
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;

- Landscape/ecological clerk of works to ensure construction compliance with the approved plan and environmental regulations.

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

Reason: to ensure that management measures are agreed and implemented for the protection of the environment during construction in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2023-2024:

**PLANNING AND
DEVELOPMENT COMMITTEE
8th FEBRUARY 2024**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

Agenda Item No.

**APPLICATION NO:23/1056/10 –
4 semi-detached dwellings and 1
detached dwelling (resubmission of
21/0373/10), LAND BETWEEN 37 TO 43
TREBANOG ROAD, TREBANOG, CF39
9EP**

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 25th January 2024. A copy of the original report is attached below as Appendix A.

Members resolved that they were minded to refuse the application, contrary to the recommendation of the Director for Prosperity and Development, due to concerns about the location of the site and the impact of its development upon highway safety

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

During the Committee debate Members recognised that the site is located within the settlement boundary where the principle of development would be acceptable and no other material concerns, such as matters relating to design and layout or the amenity impact of this small housing development, were raised.

Nevertheless, the planning history for the site demonstrated that previous applications had been refused, either in part or in whole, because of the proposed new vehicular access from the Trebanog Road (A4233). This access would be necessary to enable acceptable off-street parking provision within a small car park to the rear of the new dwellings.

The highway reasons for refusal of those earlier applications were due to the inability of the development to provide vision splays in accordance with PPW TAN 18 and Manual for Streets for a highway with a 30mph speed limit.

However, as with the majority of residential streets throughout Wales the speed limit on this part of the A4233 has recently defaulted to 20mph. This meant that the vision splay requirements stipulated by TAN 18 and Manual for Streets would be correspondingly lower. As the report at Appendix A sets out, the Council's Highways and Transportation Section advised that the proposed development, together with its new access, would now be technically acceptable.

Conversely, the consultation response from South Wales Police stated that compliance with the new speed limit at this location would be difficult to achieve due to the topography of the area. Moreover, that this part of the A4233 has no scope for a speed enforcement site and is not a suitable location for traffic calming measures, thus there may be very little change in vehicle speeds.

In addition to the above, Members noted the objections received from neighbouring residents, the concerns expressed by the public speaker at Committee and their own experiences of using this busy route – including overtaking by drivers frustrated by and unwilling to comply with the 20mph limit and unreported minor accidents.

Therefore, although the access of the proposed development would align with TAN 18 and Manual for Streets and be policy compliant in theory, Members were doubtful that compliance would likely be achievable in practice and that the new access would prove to be a dangerous addition to a very busy arterial route.

Consequently, in light of the conflicting advice from the aforementioned statutory consultee and doubt about the enforceability of the 20mph speed limit, Members decided to give greater material weight to the concerns raised by South Wales Police and resolved not to support the proposed development.

Taking the above considerations into account the following reason for refusal is recommended:

The proposed development has not satisfactorily demonstrated that it would be able to provide a safe access to the highway network and would therefore increase potential hazards to the detriment of safety of all highway users and free flow of traffic.

Therefore, the development would be considered not to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

25 January 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1056/10 (GH)
APPLICANT: PK Norman Associates
DEVELOPMENT: 4 semi-detached dwellings and 1 detached dwelling
(resubmission of 21/0373/10)
LOCATION: LAND BETWEEN 37 TO 43 TREBANOG ROAD,
TREBANOG, CF39 9EP
DATE REGISTERED: 22/09/2023
ELECTORAL DIVISION: Cymer

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

REASONS: The proposed development of four houses would be located in a sustainable position within the settlement boundary and compatible with the neighbouring land uses, which are mostly residential in nature.

The design and scale of the new dwellings would be appropriate to the size of the site and character of the neighbourhood and would not be considered detrimental to highway safety or third part amenity.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received

APPLICATION DETAILS

Full planning permission is sought for the erection of 5 dwellings on land between 37 and 43 Trebanog Road. This is a re-submission of application reference 21/0373/10, which was refused for the following reason:

The proposed development lacks a satisfactory vision splay onto Trebanog Road (A4233) which is a classified road and would increase potential hazards to the detriment of safety of all highway users and free flow of traffic. As such the development would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

The current application is identical to that previously proposed, comprising one detached dwelling and four semi-detached dwellings to be arranged fronting Trebanog Road.

As per the earlier application a new vehicle access from Trebanog Road would be provided with an open parking area at the rear of the site. An access path to the land behind the site, between number 37 and plot 1, would be maintained.

The application has been resubmitted on the basis that the vision splay requirements for the site access would now be acceptable, due to the implementation of the 20mph default speed limit in Wales.

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

- Travel Plan Statement
- Updated Ecology Surveys: Reptiles, Breeding Birds and Habitat Assessment (dated June 2020)
- Illustrative 3D street scene drawings

SITE APPRAISAL

The application site relates to an irregularly shaped piece of land located between no.'s 37 and 43 Trebanog Road. The site itself is set within a fairly large plot with a road frontage of approximately 47m onto Trebanog Road. Immediately behind the pavement is a wall retaining the higher land of the application site.

The site is covered in vegetation, including a few small trees, and is open to the countryside beyond. A small watercourse is evident to the eastern part of the site. There is also a bench located near to the front of the site and an informal path travels from the pavement, on the western side of the site near to the bench, and diagonally across the site.

The surrounding area is predominantly characterised by a mixture of historic valley terraces and more modern housing types featuring houses with detached and semi-detached properties within plots of various sizes.

PLANNING HISTORY

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

21/0373/10: Proposed 4no. semi-detached dwellings and 1no. detached dwelling (Amended site plan '302/05 Rev F' received 17th February 2022). Decision: 12th October 2022, Refused.

20/0072/10: 4 no. semi-detached dwellings and 1 no. detached dwelling. Decision: 14th April 2020, Refused.

19/5029/41: Semi-detached dwellings and detached dwelling (Pre-Application Advice). Decision: 25th March 2019, Raise Objections.

18/5131/41: Two storey building comprising 6no. flats and access (Pre-Application Advice). Decision 22nd October 2018, Raise Objections.

PUBLICITY

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

Six letters of objection or representation have been received raising the following concerns:

Traffic / Highway Safety

- Traffic travelling down Trebanog road could suddenly be faced with a queue of cars behind a vehicle waiting to turn right into the development. There have been many accidents on this hill.
- Not everyone is going 20mph they are still going the speed they were before (30-40mph). Also, the volume of traffic is increasing all the time.
- Trebanog hill is well known for multiple collisions, some of these being major accidents.
- Cars will slow outside my house causing more noise/pollution at peak times.
- Two crashes have occurred into my property already due to speeding so increased activity in that area would be dangerous. Lorries are always stalling trying to get up the hill on that bend. There has already been a well-documented catalogue of crashes and this development will only add to it.

Drainage

- A spring that runs through the gardens at the back of our property and any building could disturb this and cause flooding to the properties and gardens.
- There is also a culvert on this land which again if blocked would flood if not for the water spout.
- The spout is a historic landmark which has been there for around 70 years. I have continued to maintain the grounds of the landmark for around 20 years and first helped to do this as a young boy with the help of my father.
- This historic landmark continues to provide clean drinking water to the locals of the area and also any by passers. The ground above the spout also contains multiple wells that continue to provide the water to the spout.

Amenity

- The development will block my light and view and will be overlooking my house as they will be facing me directly.

Ecology

- The plans make no mention of foxes which are seen regularly along with many protected species.
- The site also contains Japanese knotweed that cannot be built on

Other / Non-Material Matters

- Possible damage to my property and boundary wall from construction
- Occupier may have to park further away from the house if a new junction requires existing double yellow lines to be extended.
- The grounds of the entrance point of these plans includes a memorial ground and also has a memorial bench there.

CONSULTATION

Highways and Transportation

No objection, subject to conditions

Flood Risk Management

No objection but a condition is recommended in relation to surface water management.

Public Health and Protection

No objection subject to conditions on demolition of dwellings, hours of operation, noise, dust and waste. The proposed development will be within an Air Quality Management Zone; however, due to the size of the development and types of dwellings being proposed, there will be no requirement for an Air Quality Assessment.

Dwr Cymru Welsh Water

No objection subject to a condition that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. Advisory notes with regard sustainable drainage and water supply have been provided.

National Grid

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

Countryside – Ecologist

The application is a resubmission, so previous comments and requirements for mitigation conditions apply. The requirement to deliver a Habitat Management Plan via a Section 106 agreement for the mitigation area previously agreed remains.

Therefore, there would be no ecological objection subject to a Habitat and Wildlife Protection Plan condition which would incorporate mitigation measures from the Acer Ecology Report recommendations, and a S106 Agreement HMP for management of the SINC mitigation/enhancement and a grass fire buffer.

Natural Resources Wales

NRW has no objection and notes that the Habitat Assessment and more recent walkover survey have not identified that any protected species using the site.

South Wales Police – Traffic Section

The Police still have some concerns with regards to the vision splay from any potential junction to a new development. Unfortunately, although there is now a default 20mph limit in place compliance at this location will be difficult to achieve due to the topography of the area. The A4233 at the location outlined has a gradient of almost 17% and vehicles may likely be accelerating up this gradient to maintain vehicle momentum, and likewise on the downhill gradient drivers will find it difficult to maintain 20mph. Consequently, there may be very little change in vehicle speeds with no scope for a speed enforcement site, and the A4233 not a suitable location for traffic calming measures.

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 Trebanog.

The whole of the site is identified as part of a Site of Importance for Nature Conservation (SINC) as Trebanog Slopes and is adjacent to a Special Landscape Area identified as Mynydd y Glyn & Nant Muchudd basin. The site also lies within the designated Rhondda Historic Landscape.

Policy CS1 - sets out criteria for achieving strong sustainable communities including promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

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

Policy AW5 - identifies the appropriate amenity and accessibility criteria for new development proposals. It expressly states that its scale, form and design 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 the natural environment from inappropriate development and that there would be no unacceptable impact upon the features of importance to landscape or nature conservation. Development proposals must be accompanied by appropriate ecological surveys and should demonstrate a net biodiversity gain.

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, flooding, pollution, or any other identified risk to local amenity and public health; unless it can be demonstrated that such risks can be overcome.

Policy NSA10 - permits proposals with the net residential density is a minimum of 30 dwellings per hectare but recognises that this may vary depending on the characteristics and specific context of a site.

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. Any contamination or land stability issues must be remedied and developments should not adversely affect the provision of public open space.

Supplementary Planning Guidance

- Design and Place-making
- Access, Circulation and Parking Requirements
- Planning Obligations
- The Historic Built Environment
- 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 12: Design;
 PPW Technical Advice Note 15: Development and Flood Risk;
 PPW Technical Advice Note 18: Transport;

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application site is located in the Northern Strategy Area, on land adjacent to the A4233. The site is within the defined settlement boundary in accordance with LDP Policy NSA12.

The development of unallocated sites within the defined settlement boundary is supported by Policies AW1 and AW2, the former recognising that the delivery of new housing will be met, in part, by the development of windfall sites.

The minimum net residential density permitted by Policy NSA10 is 30 dwellings per hectare. The site is approximately 0.11 hectares, resulting in a net residential density of approximately 45 dwellings per hectare and which exceeds the threshold set out by the policy.

In terms of Policy AW2 the development would be compatible with surrounding land uses and there are no environmental factors, such as flooding or land contamination, that would present an unacceptable risk to the site being developed.

In addition, the site located on a bus route, with links to the national rail network at the Porth transport hub. There are also some shops and facilities within walking distance of the site at Trebanog and Cymmer, albeit it is recognised that the terrain is steep.

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

Impact on the character and appearance of the area

The proposed development is for the construction of five dwellings which would be positioned in a line facing towards the main road. This layout would be complimentary to the existing neighbouring properties and represent an appropriate density of development.

The design, size and scale of the dwellings is also considered acceptable, and although there is a concern that parking area to the rear would have some urbanising impact on the character to the rear of the site, the application area is wholly within the settlement boundary.

Furthermore, it is noted that that some gardens to either side of the site are in line with the car park area and seen in the wider context of how the built environment relates to the edge of the settlement boundary in this part of Trebanog, it is considered that this issue would not cause a reasonable ground for refusal.

The proposed development is therefore considered to be acceptable in terms of its design, siting, massing, scale, materials and overall visual appearance.

Impact on neighbouring occupiers

Some objections have been received, as a result of the public consultation exercise, detailing the development would result in a loss of privacy and would also impact on light reaching their dwellings. It is however considered the proposed dwellings are of a sufficient distance from others so as not to result in a significant impact from over shadowing or detriment to outlook.

In terms of overlooking, the dwellings would look towards those on the opposite side of Trebanog Road from a potentially higher level. It is noted that the distance between plot 1 and the dwellings opposite would be the closest at approximately 15m. Whilst there may be some overlooking impact and the concerns of local residents are noted, the proposed dwellings, would be at a similar distance to the affected properties as the existing dwellings either side of the site.

In addition, this situation is seen in many areas of the County Borough where rows of traditional Victorian terraced dwellings directly face each other across a street. On balance, given the surrounding settlement pattern it is considered this issue would be acceptable.

The garden of plot 1 would also be close to the boundary of number 43. The current boundary treatment comprises a stone wall in poor condition. Due to the overgrown nature of the site, it is difficult to assess the full impact of the development on the amenity of the occupiers.

Consequently, it is considered if permission were to be granted it would be necessary to obtain clarification of the proposed levels and boundary treatments, details of which could be required by a suitably worded condition.

Therefore, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Access and highway safety

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

Access

The application site would be served from Trebanog Road A4233 which is a principal classified road with a substantial amount of vehicular traffic, due to being a link between the A4119 and A4058. Trebanog Road has a carriageway width of 11.m and 1.8m wide footways both of which would be acceptable in respect of accessing the proposed development.

Typical of the valleys topography the gradient of Trebanog Road falls steeply between Trebanog and Cymmer with signage indicating a gradient of 16% (Approx 1 in 6.25) and a pedestrian handrail has been provided to assist pedestrian movement along the undeveloped site frontage.

There are double yellow lines on the development side preventing on-street car parking with limited off-street car parking available on-street for residents opposite.

Private Shared Access

The Applicant has proposed to provide a 5m wide vehicular access leading to a parking court for residents of the new dwellings. The access as indicated shows radii kerbing which is not acceptable and would need to be replaced by a vehicular crossover. This matter is included as part of a condition for engineering design and detail of the access and vision splays.

Vision Splays

In accordance with TAN 18: Transport / Manual for Streets 2 the required vision splays are 2.4m x 35m downhill and 2.4m x 23m uphill for a 20mph speed limit, which also includes the 16% gradient of the former. The speed limit on this road has recently defaulted to 20mph along with the majority of residential streets throughout Wales.

The site layout drawing number 302/05 REV F indicates vision splays of 2.4m x 40m will be provided which is in excess of the requirement as set out in Manual for Streets and TAN 18 Transport.

Parking

In accordance with the Council's SPG for Access, Circulation & Parking, the proposed 3 bed dwellings require a maximum of 3 spaces per plot, the 4 bed dwelling requires a maximum of 3 spaces, together with 1 visitor space, giving a total of 15 spaces with 12 provided.

However, there would be a minimum of 2 spaces for the 2 bedroom dwellings and 3 spaces for the 4 bed dwelling with potential to park in the shared access whilst still maintaining access. The sustainable location and the prevailing guidance within PPW 11 and Future Wales 2040, which advocates lower levels of parking provision for new development, means that the proposed parking provision is considered acceptable.

It is noted that objectors have raised a concern that the off-street car parking proposed to the rear of number 43 would prevent potential for rear access to the existing dwellings with potential off-street car parking provided, however, the residents do not own the adjacent land to deliver such an access and if required could improve their rear access from the existing lane between Nos 49 and 50 Trebanog Road.

Local Amenities

The site is located in a sustainable location close to public transport and a number of facilities. However, taking into account the topography of Trebanog Road A4233 leading to the proposed it is likely that that the proposed site would have greater reliance on the private motor vehicle. Nevertheless, given that Trebanog Road serves a large number of dwellings with similar constraints and acceptable parking provision and objection would not be warranted.

Accident Data

Local residents have indicated that there have been a number of accidents within the vicinity of the site. However, the latest accident data for 2018-2023 has been obtained, with one reported accident within the vicinity of the site for which the contributing factor was defective brakes on a public service vehicle. This resulted in a collision with a number of vehicles travelling or parked on the highway. The recorded accident is an exceptional occurrence and the accident data does not indicate any groups or clusters of accidents.

Ecology

The Council's Ecologist has advised that site is part of a Site of Importance for Nature Conservation (SINC) no.49, comprising a large valley side with a rich habitat mosaic, which the development would affect a corner of.

However, following an earlier site visit with the Applicant, during which measures for biodiversity and habitat management plans were discussed, the Ecologist advised that the development would be acceptable subject to a condition and S106 agreement, as outlined further above.

Drainage and Flood Risk

Local residents have objected to the watercourse (referred to as the 'spout') being built over due to it being a historic feature. It was evident on site that there is a watercourse, but it is overgrown. Whilst the 'spout' may be a local historic feature, it is not a recorded historic asset and its loss would not be considered to warrant a refusal of the planning application.

Turning to the impact on flooding, the submitted plans do not identify how the watercourse would be dealt with, however it is assumed the watercourse would have to be culverted. Council records indicate that Natural Resources Wales identifies there is a low risk of flooding from the watercourse through the site.

It is noted that an application demonstrating compliance with the Statutory Sustainable Drainage System (SuDS) Standards for the design, construction, operation and maintenance and operation of surface water systems serving new developments, must be submitted to the Suds Approval Body (SAB). In addition, an application for Open Watercourse Consent may also be required for works to the watercourse.

Both of these would be required outside the planning application process and any necessary permissions put in place prior to works commencing.

Therefore, taking account of the above, there is no objection in this regard.

Other matters

An objector has stated that views would be lost as a result of the proposal. Whilst the dwellings may impact the outlook or residents on the opposite side of Trebanog Road this is not a reason that would warrant a refusal reason of the planning application.

Another objector details that the development may result in an impact on their foundations and another has concerns that their stone boundary wall may be damaged from the proximity of boundary treatment. The dwellings would be some distance from the foundations of the existing dwellings, either side, and any damage to a boundary wall during construction would be a matter for the landowners. It is considered these issues are outside the remit of this planning application.

A further objection relates to the loss of the existing bench. Although publicly accessible, the bench and any memorial use or feature are on private land and this would not warrant a sustainable reason to refuse development.

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 and therefore no CIL is 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 would provide five market houses.

In order to ensure a net biodiversity gain, in accordance with local and national planning policy, a S106 agreement would be required to arrange a Habitat Management Plan for the SINC mitigation and enhancement areas, together with a grass fire buffer, in respect of adjoining land within the Applicant's ownership, but which is not within the area of the red line site location plan.

Conclusion

It is considered the development would be acceptable, both in respect of the character and appearance of the locality and the residential amenity of the surrounding neighbouring residents.

In addition, the ability to provide suitable visibility splays, now that the default speed limit has been reduced to 20mph along the A4233, means that the access to the application site will comply with PPW TAN 18 and Policy AW5 of the Local Development Plan, the latter requiring new development to have safe access to the highway network.

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:

- 302/01 Rev C
- 302/02 Rev C
- 302/05 Rev F
- 302/06 Rev B
- 302/07 Rev A
- 302/08 Rev B
- 302/09
- 302/11
- 302/14

and details and documents received on 19th 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 commence until details of a scheme for the management of surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme, which shall demonstrate

compliance with the requirements of Section 8.3 of PPW Technical Advice Note 15, shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence until details of the design and construction of the proposed access, works to the public highway for provision of vehicular crossover, vision splay and relocation of pedestrian hand rail have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of the first dwelling.

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

6. No development shall commence until details and design calculations of the retaining walls abutting the highway have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to beneficial occupation.

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

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

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

- 8. No development shall commence until a Habitat and Wildlife Protection Plan has been submitted to and approved in writing by the Local Planning Authority, which shall include all recommendations and required actions set out within Section 5 of the Updated Ecology Surveys: Reptiles, Breeding Birds and Habitat Assessment Report (Acer Ecology, dated June 2020).

Reason: In the interest of biodiversity mitigation and enhancement and the protection of the natural environment, in accordance with PPW11 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 9. No development shall commence until details of all boundary treatments and pre and post-development site levels have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to beneficial occupation.

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

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

- 11. Before the development is brought into use the means of access, together with the vision splays, parking and turning facilities, shall be laid out in accordance with the submitted plan 302/05 REV F.

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

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PLANNING & DEVELOPMENT COMMITTEE

08 FEBRUARY 2024

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 15/01/2024 – 26/01/2024

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

08 FEBRUARY 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

REPORT

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

OFFICER TO CONTACT

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

See Relevant Application File

APPEALS RECEIVED

APPLICATION NO: 23/0235
APPEAL REF: CAS-02991-K9L2Q1
APPLICANT: Mrs Evans
DEVELOPMENT: Proposed new commercial Cattery with a Timber structure at rear of dwelling
LOCATION: WOODHAVEN, 3 WERFA LANE, ABER-NANT, ABERDARE, CF44 0YS
APPEAL RECEIVED: 27/09/2023
APPEAL START DATE: 18/01/2024

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

Report for Development Control Planning Committee

15/01/2024 and 26/01/2024

Tonypandy

23/0323/10 Decision Date: 16/01/2024
Proposal: Change of use from sweet shop (A1) to Thai massage salon (D1)

Location: 11B DE WINTON STREET, TONYPANDY, CF40 2QX

23/1336/10 Decision Date: 18/01/2024
Proposal: Change of use from A1 to D2 - Fitness Studio

Location: VICKYS BARBERS, 98 DUNRAVEN STREET, TONYPANDY, CF40 1AR

23/1401/10 Decision Date: 22/01/2024
Proposal: Two storey and single storey rear extension and internal works.

Location: 123 PRIMROSE STREET, TONYPANDY, CF40 1BN

Aberaman

23/1208/10 Decision Date: 24/01/2024
Proposal: Change of use from dwelling house (Use Class C3) to residential care home (Use Class C2) for up to 4 children

Location: BRYNTEG HOUSE, GWAWR STREET, ABERAMAN, ABERDARE, CF44 6YP

Aberdare East

23/0941/09 Decision Date: 26/01/2024
Proposal: Lawful Development Certificate for an existing use of a single dwelling that has been in continuous use since completion of construction in 2016

Location: TY COED, MAELGWYN TERRACE, GADLYS, ABERDARE, CF44 8AU

23/1246/10 Decision Date: 18/01/2024
Proposal: Change of use from offices (B1) to day care nursery (D1) (Flood Consequences Assessment received 21/12/2023)

Location: FORMER SHEPPARDS OFFICES ROBERTSTOWN INDUSTRIAL ESTATE, ABER-NANT, ABERDARE, CF44 8HD

23/1298/01 Decision Date: 17/01/2024
Proposal: Freestanding digital advertisement.

Location: LAND AT DEPOT ROAD, GADLYS, ABERDARE

Aberdare West and Llwydcoed

23/1300/10 Decision Date: 22/01/2024
Proposal: Change of use from a fish shop into a dwelling

Location: 1A EXHIBITION ROW, LLWYDCOED, ABERDARE, CF44 0YD

Cilfynydd

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

Report for Development Control Planning Committee

15/01/2024 and 26/01/2024

Cilfynydd

23/1325/10 Decision Date: 22/01/2024

Proposal: Extension to raised balcony to side

Location: TREETOPS, 6 BROOKFIELD LANE, PONTYPRIDD, CF37 4DN

Cwmbach

23/1378/10 Decision Date: 26/01/2024

Proposal: Internal layout changes and creation of a new external window to match the existing

Location: 20 PHILLIP ROW, CWM-BACH, ABERDARE, CF44 0EF

Cymer

23/1339/10 Decision Date: 23/01/2024

Proposal: Three lock-up garages

Location: LAND TO THE REAR OF 119 HIGH STREET, CYMER, PORTH

Ferndale and Maerdy

23/1426/10 Decision Date: 23/01/2024

Proposal: Construction of a rear extension.

Location: 72 LAKE STREET, FERNDAL, CF43 4HF

Graig and Pontypridd West

23/1078/10 Decision Date: 15/01/2024

Proposal: Alteration to roof including raising of ridge line and addition of rear dormer, re-forming of entrance area to provide additional parking and access steps (Amended plans received 28/11/2023)

Location: BRYN GOLWG, DANYLAN ROAD, MAES-Y-COED, PONTYPRIDD, CF37 1ES

23/1273/10 Decision Date: 19/01/2024

Proposal: Detached dwelling with garage and parking

Location: LAND TO THE NORTH WEST OF HEULWEN DEG, ROCK COTTAGES, GRAIG-WEN, PONTYPRIDD, CF37 2EF

23/1304/01 Decision Date: 17/01/2024

Proposal: Replacement signage

Location: NATIONWIDE BUILDING SOCIETY, 3 HIGH STREET, PONTYPRIDD, CF37 1SB

Llantrisant and Talbot Green

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

Report for Development Control Planning Committee

15/01/2024 and 26/01/2024

Llantrisant and Talbot Green

23/1119/10 Decision Date: 16/01/2024
Proposal: Part retention, part proposed construction of a retaining wall, additional yard space, repositioning of fuel tanks drainage, landscaping and associated works.
Location: UNIT 16 EARTHMOVERS HOUSE, LLANTRISANT BUSINESS PARK, LLANTRISANT, PONT-Y-CLUN, PONTYCLUN, CF72 8LF

23/1247/10 Decision Date: 17/01/2024
Proposal: Change of use from commercial to residential

Location: 7A SWAN STREET, LLANTRISANT, PONTYCLUN, CF72 8ED

23/1414/09 Decision Date: 17/01/2024
Proposal: Application for a Lawful Development Certificate for the use of the unit for Class A retail for food or non-food sales.

Location: UNIT 13 ARGOS EXTRA, NEWPARK DISTRICT SHOPPING CENTRE, TALBOT GREEN, PONTYCLUN, CF72 8LW

Mountain Ash

23/0826/10 Decision Date: 22/01/2024
Proposal: Extend the upper tier of the front garden by 1.1m width x 4.5m length by building a new retaining front wall and backfilling with soil to create increased space.

Location: 25 FOREST VIEW, MOUNTAIN ASH, CF45 3DU

23/1323/19 Decision Date: 18/01/2024
Proposal: Felling of 2no. unsafe trees within Plot 3 Trem y Dyffryn (T1 & T2)

Location: PLOT 3, TREM Y DYFFRYN, MOUNTAIN ASH, CF45 4AQ

23/1342/10 Decision Date: 16/01/2024
Proposal: Proposed installation of 2 lane cricket net training facility within existing tennis / sports court at the Caedrawnant Playing Fields.

Location: RCT PLAYGROUND, CAEDRAWANT RECREATION GROUND, MILL ROAD, CWMPENNAR, MOUNTAIN ASH

Pentre

23/1260/10 Decision Date: 17/01/2024
Proposal: Internal alterations and change of use to H.M.O.

Location: 124 LLEWELLYN STREET, PENTRE, CF41 7BZ

Pontyclun West

23/1315/10 Decision Date: 24/01/2024
Proposal: Change the use of ground floor from a retail space to reception area / office space.

Location: JNP Legal, 15 Cowbridge Road, Pontyclun, CF72 9EA

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

Report for Development Control Planning Committee

15/01/2024 and 26/01/2024

Pontypridd Town

23/1265/10 Decision Date: 24/01/2024
Proposal: Change of use to a domestic dwelling (C3)
Location: 10 MORGAN STREET, PONTYPRIDD, CF37 2DS

Porth

23/1372/15 Decision Date: 17/01/2024
Proposal: Variation of condition 1 of planning permission 19/0593/10 to extend the time limit for an additional five years
Location: GATEWAY PUBLIC HOUSE, 180 ABER-RHONDDA ROAD, PORTH, CF39 0LF

Taff's Well

23/1352/10 Decision Date: 19/01/2024
Proposal: Demolish rear annex and construct single storey extension to side and rear elevations.
Location: CARTREF, 49 CARDIFF ROAD, TAFF'S WELL, CARDIFF, CF15 7RD

Tonyrefail West

23/1270/16 Decision Date: 26/01/2024
Proposal: Reserved Matters application for the construction of a B1/B2/B8 employment unit including details of layout, scale, appearance and landscaping on Plot C4 of Coed Ely Strategic Employment Site
Location: PLOT 4, LAND AT FORMER COED ELY COLLIERY, OFF THE A4119, COED ELY.

23/1360/10 Decision Date: 17/01/2024
Proposal: Change of use from Light Industrial / Warehouse Unit to an A1/A3 use for Greggs and associated works
Location: UNIT 3, DEL GUERRA COURT, GELLIGRON INDUSTRIAL ESTATE, TONYREFAIL, PORTH, CF39 8ES

23/1363/10 Decision Date: 19/01/2024
Proposal: Detached garage to front
Location: 18 GRAIG Y MYNYDD, THOMASTOWN, TONYREFAIL, PORTH, CF39 8FD

Trealaw

23/1143/10 Decision Date: 17/01/2024
Proposal: 2 no. garage / storage units.
Location: COMPOUND, FOUNDRY ROAD INDUSTRIAL ESTATE, FOUNDRY ROAD, TREALAW, TONYPANDY, CF40 2XD

Treorchy

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

Report for Development Control Planning Committee

15/01/2024 and 26/01/2024

Treorchy

23/1303/10 Decision Date: 18/01/2024

Proposal: Vehicle crossover

Location: 38 YNYSWEN ROAD, YNYSWEN, TREHERBERT, TREORCHY, CF42 6EE

Tylorstown and Ynyshir

23/1287/10 Decision Date: 15/01/2024

Proposal: Second floor extension to the rear

Location: 59 HEATH TERRACE, YNYS-HIR, PORTH, CF39 0HT

Total Number of Delegated decisions is 32

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Report for Development Control Planning Committee

Hirwaun, Penderyn and Rhigos

22/0737/10 Decision Date: 26/01/2024

Proposal: Retrospective planning for staircase and other associated works including rebuilding boundary stone walls to side, provision of new gates.

Location: 44 SWANSEA ROAD, HIRWAUN, ABERDARE, CF44 9PE

Reason: 1 The development constitutes an unsympathetic development which is poorly related to and has an unacceptable effect on the character and appearance of the site, which also harms the architectural significance of the Listed Building. As such, the development conflicts with policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

22/0740/12 Decision Date: 26/01/2024

Proposal: Retrospective planning for staircase and other associated works including rebuilding boundary stone walls to side, provision of new gates.

Location: 44 SWANSEA ROAD, HIRWAUN, ABERDARE, CF44 9PE

Reason: 1 The development constitutes an unsympathetic development which is poorly related to and has an unacceptable effect on the character and appearance of the Site. The development would adversely affect the character of the Listed Building and is considered to be detrimental to the special architectural significance of the Listed Building. The development therefore conflicts with policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan and is contrary to the Historic Environment (Wales) Act 2023

Penrhiw-ceibr

23/1340/10 Decision Date: 22/01/2024

Proposal: Change of use of land to storage (Planning Use Class B8) incorporating 4no. new storage units and vehicle parking with a new dropped kerb to Penrhiwceiber Road.

Location: LAND ADJACENT TO 158 PENRHIWCEIBER ROAD, PENRHIWCEIBER, MOUNTAIN ASH, CF45 3SH

Reason: 1 The proposed development is considered contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan as it would result in an adverse impact upon highway and pedestrian safety in the vicinity of the application site for the following reason:

(i) The proposed development would result in reversing movements to and from the B4275 (Penrhiwceiber Road) and owing to limited vision due to high on street parking demand would increase hazards and potential conflict to the detriment of all highway users and the free flow of traffic.

Total Number of Delegated decisions is 3

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