



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

COMMITTEE SUMMONS

C Hanagan
Service Director of Democratic Services & Communication
Rhondda Cynon Taf County Borough Council
2 Llys Cadwyn
Taff Street
Pontypridd
CF37 4TH

Meeting Contact: Jess Daniel - Democratic Services (07385401877)

A hybrid meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** will be held at the **Council Chamber, 2 Llys Cadwyn, Taff Street, Pontypridd, CF37 4TH** on **THURSDAY, 22ND FEBRUARY, 2024** at **3.00 PM**.

NON-COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC MAY REQUEST THE FACILITY TO ADDRESS THE COMMITTEE AT THEIR MEETING ON THE BUSINESS LISTED. IT IS KINDLY ASKED THAT SUCH NOTIFICATION IS MADE TO **PLANNINGSERVICES@RCTCBC.GOV.UK** BY 5PM ON TUESDAY, 20 FEBRUARY 2024, INCLUDING STIPULATING WHETHER THE ADDRESS WILL BE IN WELSH OR ENGLISH.

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

AGENDA

1. DECLARATION OF INTEREST

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

Note:

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

2. HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

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

3. WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

4. MINUTES 25.01.24

To approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on 25th January 2024.

5 - 12

APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

5. APPLICATION NO: 23/0404

Change of use of garage into hair salon.

34 DAVIS STREET, ABERAMAN, ABERDARE, CF44 6UR

13 - 22

6. APPLICATION NO: 23/0549

Replacement of the bridge structure. (Otter Report Rec. 20/07/23)
(Updated Preliminary Ecological Assessment, Bat Surveys, Invasive Species Survey, Preliminary Ground Level Tree Assessment and Arboricultural Impact Assessment Rec. 24/01/24)

FEEDER PIPE BRIDGE OFF TRAM ROAD, TREHARRIS, CF46 5EF

23 - 38

7. APPLICATION NO: 23/1019

Development of listed building into 5 residential dwellings.

FORMER STABLES, HEOL TY ABERAMAN, ABERAMAN, ABERDARE

39 - 52

8. APPLICATION NO: 23/1281

First floor extension to create extra office space (Amended plans received 14/12/2023).

SBM CAR SALES, MAIN ROAD, TON-TEG, PONTYPRIDD, CF38 1PW

53 - 60

9. APPLICATION NO: 23/1335

Certificate of Lawfulness for a proposed change of use of a dwelling C3(a) to a Children's Residential Home C2 for up to 2 children.

134 TURBERVILLE ROAD, PORTH, CF39 0ND

61 - 68

10. APPLICATION NO: 24/0073

Solar panels to roof of splashpad building.

ABERDARE PARK, GLAN ROAD, GADLYS, ABERDARE

69 - 74

DEFERRED APPLICATIONS

11. APPLICATION NO: 23/0679

Change of use from bed and breakfast to 11-bedroom House in Multiple Occupation (HMO) use (Amended Plans received 01/12/2023),

Central House Guest House, Stow Hill, Treforest, Pontypridd, CF37 1RZ

75 - 90

INFORMATION REPORT

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

To inform Members of the following, for the period 29/01/2024 – 09/02/2024

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

91 - 102

13. URGENT BUSINESS

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

Service Director of Democratic Services & Communication

Circulation:-

Members of the Planning & Development Committee

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

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

Head of Planning
Head of Legal Services
Head of Major Development and Investment
Senior Engineer



RHONDDA CYNON TAF COUNCIL Planning and Development Committee

Minutes of the virtual meeting of the Planning and Development Committee held on Thursday, 25 January 2024 at 3.00 pm.

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

County Borough Councillors – The following Planning and Development Committee Members were present: -

Councillor S Rees (Chair)

Councillor W Lewis Councillor J Bonetto
Councillor A Dennis Councillor M Powell
Councillor J Smith Councillor L A Tomkinson
Councillor R Williams

County Borough Councillors in attendance: -

Councillor M Norris Councillor S Powderhill

Officers in attendance: -

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

173 WELCOME & APOLOGIES

Apologies for absence were received from County Borough Councillors S Emmanuel, G Hughes and D Grehan.

174 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, County Borough Councillor R Williams declared a personal and prejudicial interest in respect of Application No: 23/1237 Two storey rear extension 30 BRON-Y-DERI, MOUNTAIN ASH, CF45 4LL

"The applicant is known to me personally."

175 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

It was **RESOLVED** to note that when Committee Members determine the

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

176 WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

177 MINUTES 14.12.23

It was **RESOLVED** to approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on the 14th December 2023.

178 CHANGE TO THE AGENDA

The Committee agreed that the agenda would be considered out of sequence and as detailed in the minutes set out hereunder.

179 APPLICATION NO: 23/0679

Change of use from bed and breakfast to 11-bedroom House in Multiple Occupation (HMO) use (Amended Plans received 01/12/2023) CENTRAL HOUSE GUEST HOUSE, STOW HILL, TREForest, PONTYPRIDD, CF37 1RZ

The Committee noted that Mr D Evans (Applicant) who had requested to address Members on the Application was not present to do so.

Non-Committee, Local Member County Borough Councillor S Powderhill spoke on the application and put forward his objections in respect of the proposed Development.

The Head of Planning outlined the content of three 'late' letters received from residents nearby in objection of the application.

The Head of Planning presented the application to Committee and following consideration Members were minded refuse the above-mentioned application contrary to the recommendation of the Director, Prosperity & Development as Members were of the view that the proposed development would result in overdevelopment of the property.

Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

(Note: County Borough Councillor M Powell abstained from the vote.)

180 APPLICATION NO: 23/0412/10

New four bedroom dwelling with detached garage and two additional parking spaces (Amended plans received 21/12/23), LAND ADJACENT TO 4 NASH STREET, ABERCYNON, MOUNTAIN ASH, CF45 4PB

In accordance with adopted procedures, the Committee received Mr S Webb (Objector) who was afforded five minutes to address Members on the above-mentioned proposal.

The Head of Major Development and Investment presented the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the amended conditions as set out in the updated report.

181 APPLICATION NO: 22/1413

Construction and operation of a solar photovoltaic farm including access, fencing, CCTV, internal service tracks, ancillary equipment and scheme of landscaping (amended site layout and supporting information received 29/08/23) RHIWFELIN FAWR FARM, LLANTRISANT

In accordance with adopted procedures, the Committee received Mr O Sandles (Applicant) who was afforded five minutes to address Members on the above-mentioned proposal.

The Head of Major Development and Investment presented the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the completion of a section 106 agreement requiring the delivery of long-term habitat management on-site and at the off-site locations indicated within the 'blue line areas' set out on plan ref. WN1006/01/02 Rev. 2 – Planning Application Boundary.

182 APPLICATION NO: 23/0378

**Change of use from dwelling to Chapel of Rest
1 BROOK STREET, YSTRAD, PENTRE, CF41 7RB**

In accordance with adopted procedures, the Committee received Mr C Mascall (Objector) who was afforded five minutes to address Members on the above-mentioned proposal.

The Head of Major Development and Investment outlined the content of a 'late' letter received from a neighbour in objection of the application.

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

183 APPLICATION NO: 23/0493

Detached dwelling, parking area, amenity space, associated works (Amended plans received 24/09/2023 and 06/10/2023) LAND TO THE WEST OF HIGH STREET, YNYSYBWL, PONTYPRIDD

In accordance with adopted procedures, the Committee received Mr C Boardman (Agent) who was afforded five minutes to address Members on the above-mentioned proposal.

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

(Note: County Borough Councillor M Powell abstained from the vote.)

184 APPLICATION NO: 23/1110

Approval of reserved matters (access, appearance, landscaping, layout and scale) of outline planning permission 20/0646/13 LAND AT OTTERS BROOK, IVOR PARK, BRYNSADLER, PONT-YCLUN, PONTYCLUN, CF72 9BF

In accordance with adopted procedures, the Committee received Mr S Lewis (Objector) who was afforded five minutes to address Members on the above-mentioned proposal.

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

185 APPLICATION NO: 23/1056

4 semi detached dwellings and 1 detached dwelling (resubmission of 21/0373/10) LAND BETWEEN 37 TO 43 TREBANOG ROAD, TREBANOG, CF39 9EP

In accordance with adopted procedures, the Committee received Ms N Lewis (Objector) who was afforded five minutes to address Members on the above-mentioned proposal.

The Committee noted that Mr P Norman (Applicant) who had requested to address Members on the Application did not do so.

The Head of Major Development and Investment presented the application to Committee and following consideration Members were minded to refuse the above-mentioned application contrary to the recommendation of the Director, Prosperity & Development as Members had concerns over highways safety.

Therefore, the matter would be deferred to the next appropriate meeting of the Planning & Development Committee for a report of the Director, Prosperity & Development, if necessary in consultation with the Director, Legal Services, highlighting the potential strengths and weaknesses of making a decision contrary to the recommendation of an officer or any proposed or possible planning reason for such a decision prior to determining a matter.

186 APPLICATION NO: 23/1004

Construction of a new Agarose production facility, extension of pipe bridge, car park extension and associated lighting, nitrogen tank and associated infrastructure works. (Preliminary Risk Assessment Report received 28/09/2023. Revised Ecology Assessment, Soft Landscaping details and Drainage Strategy received 17th November 2023. CMRA Addendum, Phase 2 SI report, PRA addendum, GAP Analysis and Construction Management Plan received 30th November 2023. Updated Tree Report, Soft Landscaping details and Ecology Assessment received 4th December 2023) LAND AT PUROLITE, LLANTRISANT BUSINESS PARK, LLANTRISANT, PONT-Y-CLUN, PONTYCLUN, CF72 8LF

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

187 APPLICATION NO: 23/0654

Variation of condition 1 of planning permission 17/1351 (Proposed erection of 8 No. 3 bed dwellings) to allow a further 5 years for the commencement of development (Preliminary Ecology Survey rec. 03/11/23) LAND AT SALISBURY ROAD, ABERCYNON, MOUNTAIN ASH, CF45 4NU

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

188 APPLICATION NO: 23/1237

Two storey rear extension 30 BRON-Y-DERI, MOUNTAIN ASH, CF45 4LL

(Note: Having earlier declared a personal and prejudicial interest in respect of this application (Minute 174 refers), County Borough Councillor R Williams left the meeting at this point.)

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

189 APPLICATION NO: 23/1285

Proposed expansion comprising part three (offices) and part two storey (medical equipment processing, assembling and manufacturing) building, new staff car park and landscaping works. ORTHO CLINICAL DIAGNOSTICS, FELINDRE MEADOWS, LLANHARAN, PENCOED, BRIDGEND, CF35 5PZ

(Note: County Borough Councillor R Williams returned to the meeting at this point.)

The Head of Planning outlined the content of a 'late' letter received from Bridgend County Borough Council sharing no concerns regarding the application.

The Head of Planning presented the application to Committee and following consideration it was **RESOLVED** to approve the application in accordance with the recommendation of the Director, Prosperity and Development subject to the amendment of conditions 4 and 6 to read as follows:

Condition 4: No development shall commence, including any works of site clearance until details of the following have been submitted to and agreed in writing by the Local Planning Authority:

- (i) a scheme for the provision of biodiversity mitigation and enhancement measures, in accordance with the conclusions and recommendations of Section 5 of the Preliminary Ecological Appraisal (Soltys Brewster, dated September 2023).
- (ii) a scheme for the management of long-term grassland mitigation areas in accordance with the Green Infrastructure Plan (TirCollective, dated 10th November 2023).
- (iii) revised landscaping planting details to omit the use of species-rich wildflower seeding, *Prunus laurocerasus*, *Alnus cordata* and Liquidambar. The development shall be carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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. Reason: In the interests of the natural environment and to deliver a net benefit to biodiversity, in accordance with PPW 11 and Future Wales Policy 9 and Policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

Condition 6: No development shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) A report indicating the methodology for undertaking a survey of the condition of the access roads between Felindre Road roundabout

and the proposed development. The report should include: a) Details of the roads to be surveyed, b) The timescales for undertaking the surveys, c) The method(s) of reporting the findings to the local planning authority (including the use of comprehensive photographs), and d) Any potential compensation arrangements.

- (ii) The completed condition survey carried out in accordance with the methodology approved under (i) above. The development shall not be brought into beneficial use until the final survey on completion of the development has been undertaken and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety and structural integrity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

Members **RESOLVED** to receive the report of the Service Director, Planning in relation to Planning and Enforcement Appeal Decisions received, Delegated Decisions Approvals and Refusals with reasons, Overview of Enforcement Cases and Enforcement Delegated Decisions received for the period 04/12/2023 – 12/01/2024.

This meeting closed at 5.15 pm

**Councillor S Rees
Chair.**

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PLANNING & DEVELOPMENT COMMITTEE

22 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0404/10 (RP)
APPLICANT: Ms S Cook
DEVELOPMENT: Change of use of garage into hair salon.
LOCATION: 34 DAVIS STREET, ABERAMAN, ABERDARE, CF44 6UR
DATE REGISTERED: 09/11/2023
ELECTORAL DIVISION: Aberaman

RECOMMENDATION: Approve

REASONS:

The principle of developing a small-scale hairdressing business at the application property is acceptable and it is not considered that the proposed use would have any undue impact upon the amenity and privacy standards currently enjoyed by surrounding residents.

Whilst the proposed use may result in additional traffic movements to and from the application site, it is considered that this issue would be limited by the scale of the business and would not be significant enough to warrant the refusal of the application.

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

This application seeks retrospective, full planning consent for the change of use of an ancillary garage at a residential property, known as 34 Davis Street, Aberaman, for the purposes of operating a hair salon (Planning Use Class A1).

The conversion works have not resulted in an increase to the footprint of the garage; however, internal works have seen the floorspace re-configured to provide for 3 workstations and a kitchen area. Externally and to the front elevation, a UPVC window and door have been installed so that the frontage resembles a commercial shopfront and Members will also note that the existing up and over garage door has been replaced by a roller shutter.

The Applicant has indicated that the business is operated on an appointment only basis, employing one full time and one part time members of staff.

SITE APPRAISAL

The application property relates to a two-storey, end terrace dwelling with a detached single garage within the rear garden, now converted to a hairdressing salon.

The application property itself, 34 Davis Street, faces a south-westerly direction and directly fronts the highway of Davis Street. To the rear of the plot, the garage is bound by a service lane and is accessed from the highway of Beddoe Street to the north-west.

The application site is surrounded by terraced, residential properties; however, has a mixed character. Adjacent to the site, to the south, is Saron Chapel and its associated hall, beyond which is the Local and Neighbourhood Centre of Aberaman, located at Lewis Street and Cardiff Road.

PLANNING HISTORY

There are no recent applications on record that are associated with this site.

PUBLICITY

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

- When open, cars are double parked outside the salon which results in cars having to perform reversing manoeuvres onto Davis Street. Vehicles then have to enter Beddoe Street via Belmont Terrace.
- There appears to be no ventilation in the garage and the front windows are always open; noise from hair dryers can be clearly heard.
- There are empty commercial buildings and properties in and around Aberaman for the applicant to operate her business from.
- The salon has traded for 8 months without planning in place. There is already a regular flow of clients, resulting in more vehicles, noise and mess. Vehicles are parking on pavements and discarded cigarette butts are already noticeable.

- There is a lack of consideration for residents, waste from the business is being placed in the domestic bins of others which, since the 3 weekly pick up, is very annoying.
- The application could negatively affect property values and may alter the neighbourhood's aesthetic appeal.
- Granting the application could set an unwanted precedent for future developments.
- There has been an increase in on-street parking demand since the opening of the salon.

CONSULTATION

Highways and Transportation – No objection, subject to conditions.

Public Health and Pollution – No objection, subject to condition.

Dwr Cymru – No objection.

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 Aberaman but is not allocated for any specific purpose.

Policy CS1 – places an emphasis on building strong, sustainable communities.

Policy AW2 – provides support for development proposals in sustainable locations.

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

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

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

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking Requirements

National Guidance

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

Planning Policy Wales Edition 12 (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. Future Wales: The National Plan 2040 (FW2040) sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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

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

Other relevant national policy guidance consulted:

- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 18: Transport;
- PPW Technical Advice Note 23: Economic Development.

REASONS FOR REACHING THE RECOMMENDATION

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

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

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

Main Issues:

Principle of the proposed development

The proposal relates to the change of use of a former ancillary single garage at a residential property, that is located within the defined settlement boundary, to a hair salon.

Whilst it is acknowledged the application site is located within a residential street, the surrounds have a mixed character and a number of commercial businesses are located close by.

The use of an ancillary outbuilding for small business purposes is also not uncommon and often includes activities such as hairdressing. This can be beneficial in offering useful services to local communities, whilst providing a flexible form of employment for the Applicant.

In the case of this application, the proposed hair salon is of a small scale, whilst the Applicant has confirmed that the business operates on an appointment only basis.

As such, the scope and scale of the proposed hair salon represents a suitable and acceptable small-scale business that would not be detrimental to the character of the surrounding residential area. Subsequently, the principle of the proposal is considered to be acceptable; however, this would be subject to further consideration of the site-specific criteria set out below.

Impact on the character and appearance of the area

The proposal has not resulted in any increase to the footprint of the building and its height and roofing form has not been altered. Some re-configuration of the internal space has been undertaken, whilst a UPVC door and window have been inserted into the front elevation and face onto Beddoe Street. However, it is not considered that the alterations to the buildings external fabric look out of place within the surrounds and are not incongruous within the street scene.

Members will note that a roller shutter has been installed, such that when the salon is closed the garage would still bear some resemblance to a domestic outbuilding. Consequently, any visual detriment that the garage may cause towards local residents would likely be experienced during trading hours only.

During the site visit, it could be seen that the applicant has erected signage on the garage to advertise the business therein. As such, an informative note is recommended outlining the requirement for the applicant to pursue an application for advertisement consent.

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

Impact on residential amenity and privacy

The application site is located within a densely populated area and therefore there is the potential for noise and disturbance from the comings and goings of customers and from the use of hair styling and hair drying equipment to harm neighbouring occupiers living conditions.

Nevertheless, given that the size of the building limits the business activity to a small operation, the new use is considered unlikely to create a degree of noise or disturbance that would be significantly disruptive to neighbouring residents. Furthermore, the number of callers to the business would not be likely to be great in number and would be by appointment only.

However, to ensure that the business would continue to operate on a small scale and not expand to create an intensity of use that might be harmful to neighbour amenity, a condition in respect of the hours of operation are proposed. In addition, the Council's Public Health and Protection Division have not objected to the development nor requested for an acoustic assessment to be provided.

In terms of privacy, the new UPVC window and door openings that have been installed within the front elevation face the domestic garage associated with No. 1 Beddoe Street opposite, whilst the one window contained within the south facing side elevation of the garage faces the garden of the application site. Consequently, opportunities for overlooking are somewhat diminished.

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

Highways and Accessibility

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

Location

The garage is served off Beddoe Street which provides continuous footway links on either side of the carriageway with high on-street parking demand and an existing vehicular crossover for the previous garage use with an entrance apron that encroaches onto the public highway.

Access

Access to the proposed hair salon is proposed via Beddoe Street and therefore, a condition requiring restatement of the vehicular crossover, including the garage entrance apron to be reinstated in full flexible footway construction has been suggested.

Parking

The existing garage is sufficient in depth and width to provide 1 off-street parking space; however, it is evident that it is no longer used for that purpose due to the conversion works to a retail use.

Highways Summary

Taking into consideration that the increase in on-street parking will be minimal with a requirement of 1 space per 60m² and 1 visitor parking space and that customer parking is likely to be short stay, outside of peak times, the proposed is not envisaged to have any undue impact on highway or pedestrian safety and therefore, is considered acceptable.

Neighbouring Consultation Responses

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

The objectors have tendered objections regarding how the hair salon, since opening, has created parking issues at Beddoe Street and state that pavement parking occurs. The neighbouring residents' concerns are appreciated in this regard; however, the Council's Transportation section have raised no objections to the scheme in respect of parking.

As alluded to in the preceding sections of this report, the proposal is of a small scale and would be operated under an appointment basis. Therefore, even with the residential nature of Beddoe Street, the arrival of a maximum of 2 or possibly 3 vehicles in connection with the salon use at any one time during the day is unlikely to be perceptible. It is acknowledged that some conflict may occur when some residents return home from work, however, would be no different to what would likely occur when visitors attend the neighbouring dwellings. In addition, although not noted by highway officers within their observations, a public car park is located with walking distance to the site, at Lewis Street.

Furthermore, allowing the operation to be retained would not set a precedent for other commercial activity to take place within the vicinity of the site. In the event that other

residents were to come forward with proposals to operate commercial uses from other dwellings or ancillary garages in the street, planning permission is likely to be required and any application would be considered on its own merits. The objectors concern as to the development impacting upon property values is also not a material matter that can be taken into consideration when appraising this planning application.

In terms of waste disposal, one objector has pointed out that the applicant is utilising the domestic bins of neighbouring occupiers to dispose of hair and other products derived from the business. The applicant has subsequently advised that she has purchased a trade waste bin and trade bags for the business; however, no records are held confirming this. Consequently, Members are advised that the matter has been referred to the Council's Waste Section for investigation.

One objector has alleged that discarded cigarette butts are noticeable outside the garage since its change of use. This appears unfortunate should this be the case, however, cannot be enforced as part of the planning process. Should local residents note that this was a continuing problem at the site, recourse would be available under The Clean Neighbourhood and Environment Act 2005 where fixed penalty notices can be issued for such littering offences.

Lastly, one objector has noted that there are empty commercial buildings and properties in and around Aberaman where the applicant could operate her business from. In this regard, the latest retail survey for the Local and Neighbourhood Centre of Aberaman (July 2022) noted that out of 24 units available within the centre, 23 were in use, with the one vacant premise being a large, former restaurant. More recently, the site visit showed this to be an accurate reflection and the centre appeared vibrant. Therefore, it is not considered that the proposal causes significant adverse impacts on the viability of the centre, particularly as the development is of such a small scale. Conversely, the proximity of the application site to the retail centre could also offer a service which may encourage visits by clients who do not live in the local area. As a consequence, the proposal could assist in sustaining the local retail centre by enhancing footfall which would, in turn, support the daytime economy of the centre.

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) as the application constitutes Class A1 retail development. However, as the development would result in the change of use of less than 100 sqm of floor space, the liability in this instance is £nil.

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties or highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 AW6 and AW10).

RECOMMENDATION: Grant

1. The development hereby approved shall be carried out in accordance with the approved drawing numbers and documents received by the Local Planning Authority on 09/11/2023, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing no. Davis 34 01 (Existing and Proposed Plans, Elevations and Sections)
- Site Location Plan

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

2. No member of the public shall be admitted to or be allowed to remain on the premises between the hours of 18:00hrs – 09:00hrs on any day.

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

3. The existing vehicular crossover and garage entrance apron shall be reinstated in full flexible footway construction in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority with 2 months of planning permission being granted.

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

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PLANNING & DEVELOPMENT COMMITTEE

22 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0549/08 (KL)
APPLICANT: Rhondda Cynon Taf CBC
DEVELOPMENT: Replacement of the bridge structure. (Otter Report Rec. 20/07/23) (Updated Preliminary Ecological Assessment, Bat Surveys, Invasive Species Survey, Preliminary Ground Level Tree Assessment and Arboricultural Impact Assessment Rec. 24/01/24)
LOCATION: FEEDER PIPE BRIDGE OFF TRAM ROAD, TREHARRIS, CF46 5EF
DATE REGISTERED: 07/06/2023
ELECTORAL DIVISION: Abercynon

RECOMMENDATION: Approve, subject to conditions.

REASONS:

The proposed development would enable the reinstatement of a pedestrian footpath over the existing bridge structure, following the removal of the original upper bridge deck in 2020 due to significant structural damage caused during Storm Dennis. The reinstated footpath would provide a betterment to the previous facility in that it would be constructed in accordance with current design standards which would provide greater resistance to debris build-up/impact and hydraulic loading in the future. The footpath would also be widened in comparison to the original facility and would reduce its maintenance liability through the use of more appropriate materials (steel as opposed to timber). The development may also result in the pathways in this location being adopted as a Public Right of Way.

Furthermore, the proposed structure is considered to be acceptable in visual terms, and with no residential properties situated within close proximity of the site, the development would not have a detrimental impact upon the amenity and/or privacy of neighbouring properties. The development is also considered to be acceptable in terms of the impact it would have upon highway safety in the vicinity of the site, and it is also considered that the development can be appropriately delivered without any adverse impact upon the ecology of the site and the surrounding area.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought to replace the upper bridge structure of an existing bridge known as Feeder Pipe Bridge, which is located off Tram Road, Treharris. The original upper section of the bridge was removed in 2020 following significant structural damage done during Storm Dennis.

The bridge crosses the boundary between Rhondda Cynon Taf County Borough Council (RCTCBC) and Merthyr Tydfil County Borough Council (MTCBC), and a second application has also been made to them for consideration.

The new structure would be constructed from two vertical parapet trusses from each of the masonry stone pillars, being positioned between the two pipes that are to be retained and in place of the central pipe, which will be removed. The bridge deck would sit above the trusses, with an increased width of 2.2m (original deck 1.5m in width) and a length of approximately 38m. The deck would be supported by steel out riggers and diagonal bracing members at 3.6m intervals, which would connect with the vertical parapet trusses. The existing abutments and piers would undergo some maintenance works (repointing, vegetation clearance etc.).

The deck is proposed to be constructed from open steel grating to reduce the weight of the bridge, in addition to removing the maintenance liability of the original timber deck and risk of further arson attacks on the structure. Details submitted with the application further suggests that the proposed structural form would provide a greater resistance to debris build-up/impact and hydraulic loading than that of the original bridge.

Access to the site is currently restricted to pedestrian and cycle access only at both RCTCBC and MTCBC sides. As such, in order to facilitate the proposed works, a temporary access and compound area is proposed in the area to the northern side of the bridge, between the bridge and the A470/A472 (RCTCBC side of the bridge). Details submitted with the application indicate that the temporary access track would be accessed via the A472 slip road and would measure approximately 400m in length and 5m in width. It would extend around an area of ancient semi-natural woodland and end just north of the bridge. The compound would be located adjacent to the temporary road, just to the south of the proposed temporary access.

The temporary road and access would be created by minor excavation works and the laying of aggregate. All temporary works will be removed on completion of the works and the area will be reinstated to its original condition.

The application is accompanied by the following:

- Planning Statement;
- Arboricultural Impact Assessment (By Temple, dated 12/01/24);
- Invasive Species Survey (By Temple, dated 10/03/23, updated 12/12/23);
- Bat Surveys V2 (By Temple, dated 09/01/24)
- Preliminary Ground Level Tree Assessment (By Temple, dated 09/01/24);
- Preliminary Ecological Appraisal V2 (By Temple, dated 10/01/24);
- Bat Report (By Redstart, dated August 2021);
- Otter Survey Report (By Redstart, dated August 2021);
- Preliminary Ecological Appraisal (By Redstart, September 2022);
- Preliminary Ecological Appraisal (By Redstart, February 2022).
- Updated Otter Survey Memo Report (By Temple, dated 13/03/23)

Members should also note that a second application has recently been submitted for the works but with an alternative access being provided to the southern side of the bridge (MTCBC). The application has indicated that access to the southern side would be more favourable as the access off Tram Road Side is much reduced in comparison to the scheme currently proposed. However, it is understood that there could be some landownership issues that could prevent that scheme from being implemented. Those issues are in the process of being resolved, which is why the application is now coming forward for consideration however, the developer is also seeking to continue with this application, in the event that the landownership issues on the southern side cannot be resolved. As such, Members are advised that the developer could potentially have two consents however, only one can/will be implemented.

SITE APPRAISAL

The application structure forms a footbridge over the River Taff, near the A470 roundabout at Abercynon. The bridge crosses the border between RCTCBC and MTCBC and is served by surfaced public footpaths either side, effectively connecting Alexandra Road, Abercynon with Tram Road in Treharris.

The bridge structure itself is constructed of stone piers, steel pipes, beams and parapets. It was previously topped with a timber deck which provided a pedestrian footpath across the bridge. The bridge deck and its associated parapets were removed in 2020 following significant structural damage as a result of Storm Dennis, which resulted in a significant amount of debris building up against the bridge, resulting in the footbridge being lifted off its supporting piers.

The surrounding area is semi-rural in character and appearance and typically forms the banks of the River Taff which are occupied by various mature trees/vegetation.

PLANNING HISTORY

The following planning application is on record for this site:

20/0904 Feeder Pipe Bridge, Prior notification of Granted
Footbridge Crossing River demolition of footbridge 10/09/20
Taff, Southeast of A470 damaged during
Roundabout, Abercynon February 2020 storms

PUBLICITY

The application has been advertised through the erection of site notices at both sides of the bridge structure. No letters of representation have been received.

CONSULTATION

Ecology (RCT): No objection, conditions recommended.

Flood Risk Management: No objection, condition recommended.

Highways and Transportation: No objection or condition recommended.

Merthyr Tydfil County Borough Council: Whilst no formal response had been received at the time of writing this report, the Planning Officer has discussed the application with the Planning Officer and Ecologist at MTCBC and it is understood that no objection is raised to the proposal. Any comments received will be presented to Members at the meeting.

Natural Resources Wales: No objection, subject to conditions.

Public Health and Protection: No objection. Standard comments provided in respect of hours of operation, noise, dust and waste.

Welsh Government (Transport): No objection

Welsh Water: No objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located outside of the defined settlement boundary and is not allocated for any specific purpose. The following policies are considered relevant in the determination of this application:

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

Policy AW2 (Sustainable Locations): promotes development in sustainable locations.

Policy AW 5 (New Development): sets out the criteria for new development in relation to amenity and accessibility.

Policy AW6 (Design and Placemaking): sets out the criteria for new development in terms of design and place-making.

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

Policy AW10 (Environmental Protection and Public Health): sets out criteria for new development in relation to environmental protection and public health.

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
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 12 (PPW) was issued on 7th February 2024 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates

the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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

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

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

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 12: Design;

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The proposal would result in the provision of a pedestrian footpath over an existing bridge structure which previously benefitted from a similar footpath arrangement. The original bridge structure suffered significant structural damage during Storm Dennis and its removal was required as it became unsafe and unfit for purpose.

The proposed structure will utilise the existing abutments and piers with minor maintenance works required to be undertaken to the existing structure. The replacement bridge (footpath) deck would be constructed in line with current design standards and would provide a betterment by increasing the width of the deck from 1.5m to 2.2m in order to improve accessibility across the bridge. Furthermore, the proposed structural form would provide greater resistance to debris build up/impact/hydraulic loading than that of the previous bridge.

In light of the above, the principle of the proposal is considered to be acceptable subject to an assessment of the criteria set out below:

Character and Appearance

The proposed bridge structure would replace a previous structure at the site, which was required to be removed due to significant structural damage during Storm Dennis. The original piers and abutments have been retained and will be utilised in the provision of the new bridge structure however, the central pipe which currently runs along the full length of the bridge will need to be removed in order to facilitate the installation of the new bridge deck. The two outer pipes would be retained.

Whilst no details have been provided to demonstrate what the bridge deck looked like before its removal, details submitted with the application indicate that current design standards would not allow for the structure to be replaced on a like for like basis. The new structure would be constructed from two vertical parapet trusses from each of the masonry stone pillars, being positioned between the two pipes that are to be retained and in place of the central pipe, which would be removed. The bridge deck would sit above the trusses, with an increased width of 2.2m (original deck 1.5m in width) and a length of approximately 38m. The deck would be supported by steel out riggers and diagonal bracing members at 3.6m intervals, which would connect with the vertical parapet trusses. The deck would be of an open mesh construction which would be enclosed by vertical posts and infill panels.

Given the purpose of the proposed development and its requirement to comply with current design standards, the overall design of the bridge structure is considered to be acceptable in visual terms. Furthermore, the bridge is not particularly visible from the surrounding area, given its secluded location and its position below Tram Road to the south and the network of paths to the north.

As such, the proposal is considered to be acceptable in terms of the impact it would have upon the character and appearance of the site and surrounding area and the

application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Ecology

The Council's Ecologist has reviewed the application and the supporting documentation in respect of the ecological impact of the development and is satisfied that the development can be appropriately delivered, subject to a number of conditions.

The two Preliminary Ecological Assessments originally provided to support the application (By Redstart, dated February 2022 and September 2022) are both considered to be appropriate surveys, based largely on survey work undertaken in 2020. The documents identify the sensitive ecological context of the site (including the River Taff and surrounds, which are identified as SINC 142) and a series of precautionary habitat and species mitigation requirements are recommended, including precautionary and other measures for badger, nesting birds, dormouse, amphibian, reptile, hedgehog, pollution prevention, timing restrictions on 'in-channel' river working, sensitive lighting and invasive plant control. The February 2022 report also identified a need for bat and otter surveys, which were later provided.

Bats

The Bat Survey (August 2021) recorded no bats within the bridge, abutments or adjacent retaining wall, although it did record bat activity involving at least 5 species. The report indicated that providing that construction works commenced within 2 years of the reports production, no further bat survey work would be required. However, a number of precautionary mitigation and enhancement measure were identified. Evidently, the works did not commence within the 2 year period following the production of the original bat survey report provided and, in line with recommendation of that report, further bat survey work was required to be carried out.

A subsequent Bat Roost Assessment report was provided (By Temple, dated 9th January 2024) which identified only 2 low potential bat roost trees in the area to the north of the bridge (RCTCBC side), both associated with the proposed A472 access. The report includes recommendations for controlled/supervised felling. No other trees with low, moderate or higher potential bat roost potential are identified within the report on the northern side of the proposed development.

In light of this, the Council's Ecologist is satisfied that the development can progress, subject to a condition for the precautionary bat mitigation measures set out in section 5.5 of the report, and also for details of all mitigation and avoidance measures identified in the Redstart PEAs, species survey reports and all supplementary Temple Ecology Reports.

Otters

The need for an Otter Survey was recommended in the February 2022 PEA with the required survey being provided shortly after. The survey recorded an otter spraint 85m from the bridge, on the riverbank, and a potential otter holt 55m from the bridge. There was no holt potential identified within 30m of the bridge. The report identified a number of precautionary measures, including the provision an otter method statement.

Ancient Woodland/SINC Habitat

Neither the original Redstart PEA (2022) nor the Temple Ecology PEA (2024) included a detailed ecological assessment for anything other than the immediate proximity of the bridge. However, the Temple Arboricultural Survey report identifies the route between the bridge and the junction at the A472 slip road, providing a plan and tree assessment of the individual trees and groups of trees within a wider assessment area. It indicates that the route will largely follow an existing pathway, or open ground habitat. Whilst the assessment appeared to suggest that direct loss of trees/woodland shrub would be limited in number, further clarification was sought on the predicted loss of the trees identified and a further Arboricultural Report was subsequently provided. The subsequent report details a zone of impact along the existing path route, and around the bridge abutments on the western riverbank. The eastern riverbank is within an area designated as ancient woodland and is the most ecologically sensitive along the northern route.

The survey identifies a total of 16 individual trees, one group, and parts of two other groups of trees that will need to be removed. The 3 Groups appear to be recent woodland associated with the A470/Quakers Yard Slip Road, and therefore of relatively limited ecological significance. The 16 individual trees all appear to be within the mapped ancient woodland area and are mainly alder and birch with a few oak, hawthorn and willows. The report identifies the need for a detailed Arboricultural Method Statement to minimise the impacts on adjacent woodland/trees.

The Council's Ecologist has indicated that the loss of trees along the existing path route will have an immediate detrimental impact, but it is considered that those impacts would be localised to the immediate route alignments, and in close proximity to the abutments of the bridge. Furthermore, it is considered that the ancient woodland habitat will react to those localised impacts and, in the long-term, providing that works are very sensitively controlled, the impacts on the ancient woodland habitat will naturally mitigate themselves. The main concern of the Council's Ecologist is therefore not for individual tree loss, but for the need for the construction process to be very sensitively managed to ensure that impacts on the ancient woodland are minimised. It is therefore recommended that a condition is required to secure a wider Arboricultural/Woodland Method Statement.

Whilst the PEA (January 2024) refers to planting woodland on the RCT area as mitigation for the tree/woodland impacts, the Council's Ecologist recommends against new tree planting within any of the SINC/ancient woodland habitats with the option

provided in the PEA (September 2022) to allow natural woodland regeneration being more favourable. It is considered that this is the most ecologically appropriate means for mitigating for small scale impacts within an ancient woodland setting. Tree planting at the junction with the A470 however may be beneficial for visual landscaping reasons however, that may not be necessary and should be a matter for a detailed landscaping condition.

NRW comments

Consultation has been undertaken with NRW and no objection is raised. The comments advise that, on the basis of the information contained within the supporting document submitted, it is not considered that the development is likely to be detrimental to the maintenance of the population of these species concerned at a favourable conservation status in their natural range, provided that the measures stipulated in the documents are adhered to. As such, it is recommended that the above-mentioned documents are included in the approved plans and documents condition, and that a condition is imposed to secure the submission of a Construction Environmental Management Plan in order to control pollution prevention for the water environment.

In light of the comments received from the Council's Ecologist and NRW, the proposal is considered to be acceptable in terms of its impact upon ecology (subject to conditions).

Access and Highway Safety

The application has been assessed by the Council's Highways and Transportation section and no objection is raised to the proposal, nor is any condition recommended. The comments received are summarised as follows:

Access to the site is restricted to pedestrian and cycle access only, via a footpath off Tram Road Side, Treharris, and from a series of footpaths leading from Alexandra Pace, Abercynon. The proposal would result in the width of the existing bridge increasing from 1.5m to 2.2m which is sufficient for safe pedestrian movement, and which is considered acceptable.

There is no registered Public Right of Way along the network of paths in this area however it is noted that the creation of one could be considered by RCTCBC and MTCBC on replacement of the bridge. Tram Road Side, Treharris forms part of Route 8 (Cardiff to Anglesey) of the National Cycle Network).

The proposal will provide temporary site access via the A472 slip road to the A470, which raises slight concern. However, taking into consideration that the site access is temporary, that the proposed will be managed and designed accordingly by this Council's infrastructure department, and that the proposal may result in the creation

of a new Public Right of Way which will promote sustainable modes of transport, on balance the proposal is considered acceptable.

Furthermore, Welsh Government (Transport) have also been consulted and raise no objection to the proposal.

In light of the comments received from the Council's Highways Officer, the proposal is considered to be acceptable in terms of the impact it would have upon highway and pedestrian safety and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity and Privacy

The application site is situated in a secluded location with the nearest neighbouring properties being situated over 270m away to the west and north-west (Abercynon) and over 300m away to the north (Quakers Yard). As such, the proposed works would have no adverse impact upon the amenity and/or privacy of surrounding residential properties and the application would comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this regard.

Other Issues:

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

Drainage

The Council's Flood Risk Management team have assessed the application and advise that the applicant may be required to submit an application to the Sustainable Drainage Systems (SuDs) Approval Body (SAB), under Schedule 3 of the Flood and Water Management Act 2010, should the construction of the development be over 100 square metres. It is further advised that the applicant will be required to comply with Part H of the Building Regulations.

The Flood Risk Management team have also recommended that a standard condition be imposed on any grant of planning consent to ensure that the development complies with Section 8.3 of Technical Advice Note 15: Development and Flood Risk. Whilst the recommended condition is noted, it is not considered necessary as issues of surface water would be adequately managed by the SAB and by Building Regulations.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The proposed development would reinstate a previous pedestrian footpath over an existing bridge structure, which was removed following significant structural damage in 2020. The new structure would be a departure from its original design, however, it would be constructed in accordance with current design standards and provide a betterment in terms of the pedestrian facility provided and maintenance liability, It would also provide a greater resistance to debris build-up/impact and hydraulic loading.

Notwithstanding the nature of the development and its requirement to comply with current design standards, the proposal is considered to be acceptable in visual terms, and with no residential properties situated within close proximity of the site, the development would not have a detrimental impact upon the amenity and/or privacy of neighbouring properties. Furthermore, the development is considered to be acceptable in highways terms and also in respect of the ecology of the site and surrounding area.

RECOMMENDATION: Approve, subject to conditions.

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received on 19th May 2023 by the Local Planning Authority, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 333206-00-23-LP: Location Plan & Site Boundary
- Drawing No. 30003237-BHK-00-XX-DR-C-1001: Proposed Sections & Elevations

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

3. Notwithstanding the approved plans, the development hereby approved shall be carried out in accordance with the recommendations, mitigation and enhancement measures set out in the following documents:

- Document Ref. GC3880-RED-74-XX-RP-L-0004 Rev. PO2: Preliminary Ecological Appraisal – Feeder Pipe Bridge, by Redstart, dated February 2022 (Section 6)
- Document Ref. GC3880-RED-74-XX-RP-L-0004 Rev. PO1: Preliminary Ecological Appraisal – Feeder Pipe Bridge, by Redstart, dated September 2022 (Section 6)
- Document Ref. GC3880-RED-74-XX-RP-C-0001 REV P01: Otter Survey Report – Feeder Pipe Bridge, by Redstart, dated August 2021 (Section 6)
- Document Ref. GC3880-RED-74-XX-RP-C-0002 Rev PO1: Bat Survey Report – Feeder Pipe Bridge, by Redstart, dated August 2021 (Sections 6 & 7)
- Document Ref. T7028: Preliminary Ecological Appraisal – Feeder Pipe Bridge V2, by Temple, dated 10th January 2024 (Section 4)
- Document Ref. T7028: Preliminary Ground Level Tree Assessment North and South – Abercynon Feeder Pipe Bridge V1, by Temple, dated 9th January 2024 (Section 5)
- Document Ref. T7028: Bat Surveys – Abercynon Feeder Pipe Bridge V2, by Temple, dated 9th January 2024 Section 5)
- Document Ref. T7028: Invasive Species Survey – Feeder Pipe Bridge Replacement, Abercynon, by Temple, dated 12th December 2023 (Recommendations)
- Document Ref. T7028: Arboricultural Impact Assessment – Abercynon Feeder Pipe Bridge Replacement V3, by Temple, dated 12th January 2024.
- Document Ref. T7028: Updated Otter Survey Memo Report, by Temple, dated, 13th March 2023.

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

4. No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
 - General Site Management: details of the construction programme including timetable, details of site clearance details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.

- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption.
- Biodiversity Management: details of management of invasive species: signal crayfish may be present within the river Taff corridor management; species and habitats protection, avoidance and mitigation measures.
- Traffic Management: details of plant on site and wheel wash facilities.
- 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.

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

Reason: To ensure protection of the environment during construction, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence until a wider Arboricultural/Woodland Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural/Woodland Method Statement shall include measures to:

- Protect woodland soils, and where disturbed, ensure the sensitive restoration of soil.
- Ensure all chipped wood is removed and not deposited on site.
- Ensure the sensitive re-use of larger cut timber, to create dead wood habitat within the woodland area.
- Avoid tree planting.
- Ensure tree works utilise good woodland management practice, for example, implement coppicing/pollard management, rather than removal or the unsympathetic lopping of trees.
- Ensure no wildflower seeding is undertaken - If disturbed ground needs to be seeded then use a very simple grass mix only with no fertiliser input.
- Undertake appropriate woodland enhancements (for example, implementation of a 5 year Japanese Knotweed control scheme that

can significantly reduce the invasion of the ancient woodland by that species).

The Arboricultural/Woodland Method Statement shall be implemented as approved.

Reason: To afford protection to the surrounding woodland, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

6. No works shall commence until an Otter Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

7. No works shall commence until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

8. No works shall commence until an Access Route Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include measures for the sensitive management of the any trees/shrubs requiring removal or management, and details of woodland/trees/shrub and habitat protection measures. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ecology in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

22 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1019/10 (GD)
APPLICANT: Stables Developments Ltd
DEVELOPMENT: Development of listed building into 5 residential dwellings
LOCATION: FORMER STABLES, HEOL TY ABERAMAN,
ABERAMAN, ABERDARE
DATE REGISTERED: 08/09/2023
ELECTORAL DIVISION: Aberaman

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development is considered acceptable in terms of the requirements of planning policy with the exception to those relating to areas that are vulnerable to flooding. The proposals are also acceptable in respect of other material planning considerations. Whilst the building has been identified as being vulnerable to flooding the need to revitalise it and ensure its survival as an important listed building and the fact that the property can be converted with a high degree of flood resilience built in outweighs this particular consideration.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

The proposed development seeks to convert the listed building into five three bedroom residential units, working as far as possible with the fabric of the currently roofless listed building. Specifically the works will comprise the following

- Removal of internal debris and late 20th century first floor structures.
- Removal of the existing concrete floor and reduction of internal floor levels ready for the installation of a new ground-bearing slab.

- Consolidation of the tops of walls using appropriate materials, (stone and lime-based mortar). The reconstruction of the southern gable using the original materials.
- Consolidation of walls generally removing cement based mortar and using a lime based mortar.
- Construction of a new insulated, breathable ground-bearing slab.
- Creation of new door and window openings on the rear elevation with those currently blocked to the front elevation being re used.
- A new insulated pre-fabricated roof to be finished in slate.
- Construction of new lined internal walls and staircases in timber.
- The lining of the external walls with breathable insulation boards.
- New timber doors and windows.
- Construction of garden boundary walls and landscaping.

Because of the location of the building within the floodplain, the proposals also include a series of measures to build resilience into the development including the following.

- Demountable flood barriers to be fitted within door openings.
- Underfloor heating to be provided within the floor slab to better facilitate drying out following saturation.
- Non-return valves and sealed manhole covers to be used for drainage.
- Adjacent ground to remain permeable to aid the dispersal of floodwaters.
- Service entry points to be sealed or located above flood levels.
- Internal plastering of walls to be lime based and breathable to aid drying out.
- All pointing carried out in lime.
- Ground floor layouts limiting the amount of kitchens and WC's abutting external walls, increasing the amount of exposed wall to aid drying out.
- Strip damp proof course to be inserted between external solid wall and abutting ground floor studwork.

The application is accompanied by the following:

- Design and Access Statement incorporating Heritage Impact Statement.
- Flood Risk Assessment.
- Structural Condition Survey.

SITE APPRAISAL

The application site comprises the listed derelict stable block and adjacent ground that sits within the recently redeveloped Aberaman House building site.

The land surrounding the application site has been the subject of recent redevelopment for residential purposes.

The site is relatively flat sitting as it does between new residential development associated with the rugby club and more established residential properties along Farm Road. The site benefits from good access from Heol Ty Aberaman, which itself links with the Cross Valley Link Road and the A4059. The wider area is characterised by a mix of land uses including, residential, commercial, retail and recreational functions.

PLANNING HISTORY

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

| | | |
|---------|--|-----------------------|
| 23/1044 | Development of listed building into 5 residential properties (listed building consent) | Not yet determined |
| 19/1013 | Development of listed building into 5 residential properties (listed building consent) | Granted 11/02/20 |
| 13/0063 | Development of listed building into 5 residential properties (listed building consent) | Granted 16/12/13 |
| 13/0062 | Redevelopment of Listed Building to form 5 residential dwellings | Granted 24/06/15 |
| 12/1263 | Residential development of 35no dwellings (adjacent land) | Granted 02/04/14 |
| 11/0199 | Variation of condition to extend time for the submission of reserved matters (outline application 03/1327) | Approved 10/02/12 |
| 09/0284 | Removal of Condition 3 of planning consent 03/1327 (minimum distances between windows of habitable rooms) | Approved 05/05/09 |
| 08/1911 | Residential development (outline application) | Approved 20/02/12 |
| 08/1742 | Residential development of 50 no. dwellings (reserved matters pursuant to outline permission 03/1327) | Approved 10/08/09 |
| 07/0584 | Demolition of existing building and redevelopment for housing | Withdrawn 10/06/10 |
| 03/1327 | Residential development (outline application) | Approved 16/11/05 |

PUBLICITY

The application has been advertised by means of press notice and neighbour notification letters. No objections or observations have been received.

CONSULTATION

Highways and Transportation – no objections subject to conditions.

Flood Risk Management – no objections subject to conditions.

Public Health & Protection – raise no objection and suggest a series of conditions relating to hours of operation.

Council Ecologist – no objection subject to conditions relating to appropriate conditions relating to bats.

Natural Resources Wales – raise objections to the proposed development as they take the view that inadequate information has been provided in support of the proposals.

Dwr Cymru Welsh Water – no objection subject to conditions.

Western Power Distribution – should the developer require a new connection or service alteration the consent of WPD would be required.

South Wales Police – no response received.

Cadw – no response received.

The Coal Authority – raise no objection to the proposals and request an informative note be attached to any consent that might be issued.

Glamorgan Gwent Archaeological Trust – no objections subject to the inclusion of a condition requiring the agreement of a written scheme of historic environment mitigation being included in any consent that might be issued.

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 site is within the settlement boundary and is unallocated. The building is a Grade II Listed Building (reference no. 80700)

Policy CS1 - in the northern strategy area the emphasis will be on promoting residential and commercial development in locations which support and reinforce the Principal Towns and Key Settlements. The policy also promotes the re-use of underused buildings, seeks to protect the cultural identity of the area by protecting the historic built heritage, and provide high quality affordable accommodation that promotes diversity in the residential market.

Policy CS4 and CS5 - the policies identify that land is required to meet the housing requirements of 14,385 new dwellings in sustainable locations over the plan period. Of these, 1,770 should be affordable units, as set out in Policy CS5.

Policy AW 1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 –2021.

Policy AW 2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

Policy AW4 - details the criteria for planning obligations that may be sought, including the Community Infrastructure Levy (CIL).

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 – refers to the protection and enhancement of the built environment. This policy states that development that impacts upon sites of architectural and historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 - the policy states that distinctive landscape features, such as trees, are important for biodiversity, consequently they will be protected in line with this policy.

Policy AW10 – requires development proposals to have an acceptable impact on health and safety and local amenity in respect of issues such as pollution control and flooding.

Policy NSA1 - supports residential and commercial developments within the defined town centre of Aberdare.

Policy NSA10 - sets the density level for the NSA at 30dph unless a lower density level is needed to protect the character of the site, protect the amenity of existing/future residents or the development still makes adequate use of the site.

Policy NSA12 - provides for housing within the defined settlement boundaries, where it can be demonstrated that:

- the proposed development does not adversely affect the highway network and is accessible to local services by sustainable modes of transport;
- the development does not adversely affect the provision of car parking in the surrounding area; and
- the development does not adversely affect the provision of open space.

Policy NSA13 - allows for the rehabilitation/conversion of large buildings for residential purposes within the Northern Strategy Area, where it can be demonstrated that:

- the building is located within the settlement boundary;
- the building is of historic or architectural importance or is prominent and makes a valuable contribution to the townscape of the settlement; or
- There is no economically viable alternative use for the building.

Supplementary Planning Guidance

Design and Placemaking
The Historic Built Environment
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 12 (PPW) operates in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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

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

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

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.
- Policy 35 – Valley Regional Park – SDP/LDP/Economy/Environment/Tourism
- Policy 36 – South East Metro – SDP/LDP associated planning applications

Other relevant 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;
PPW Technical Advice Note 23: Economic Development
PPW Technical Advice Note 24 The Historic Environment
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

In this instance, it is considered that the main issues in the determination of the planning application are the principle of the proposed development, the impact of the proposals on the character and appearance of the area, impact on residential amenity and privacy, access and highway related issues and the flooding issue.

Principle of the proposed development

The suite of planning policy affecting the current proposal is overwhelmingly in favour of the sensitive restoration of a listed building that is currently experiencing increasing dereliction to a point where it might be entirely lost. In addition to this, the property lies within defined settlement limits and in a sustainable location. The only potential area of conflict with local and national policy relates to the creation of highly vulnerable development in an area that is subject to flooding. Whilst this would normally mitigate against the development, on balance and with suitable resilience built in to the conversion work officers are of the view that the development should be allowed. The flooding issue and related matters are dealt with in more detail below.

Impact on the character and appearance of the area

In terms of this issue, it has to be kept in mind that the building is currently derelict and without a roof. In this case, the applicants are seeking consent for a sensitive restoration of the property that will enable its continued use as five residential units. The net result of this on the character and appearance of the area would be entirely positive as not only will it restore a notable local building to beneficial use it will also provide a focal point and area of interest within the housing development that has been developed around it in recent years. In effect, its restoration would represent a completion of the redevelopment of the wider area.

Impact on residential amenity and privacy

The orientation of the dwellings proposed for the stable block relative to those recently developed adjacent to this site, is an acceptable arrangement with the nearest property approximately 10m distant and gable end on to the stable building. The levels of the stable building are fixed and the newer housing has been set at a higher level in accordance with the recommendations of the Flood Consequences Assessment that supported the development. Whilst this arrangement does impact the stable building which sits noticeably lower, it is not so severe that it renders the redevelopment of the stables unacceptable, particularly as the overall impact of the proposals on local amenity are positive.

Access and highway safety

Members will note the Highways Development Control in commenting on the proposals have raised no objection to the proposed development. Access to the site is established with Heol Ty Aberaman being a fully adopted highway. Though the mews court highway construction fronting the stables remains in private ownership it is suitable to serve the development proposed. Parking provision for the proposed dwellings is considered acceptable though some will require a little modification that can be achieved through the application of appropriate planning conditions.

Flooding

Natural Resources Wales have raised objection to the proposed development. The development would take place on floodplain where highly vulnerable development, such as residential development would not normally be allowed. Technical Advice Note (TAN) 15 Development & Flood Risk sets out a series of justification and acceptability criteria that the current proposal due to the fixed nature of the existing building would, largely, find it impossible to meet. However, the applicants have indicated that they are aware and have indicated that the restoration of the building will also incorporate the flood resilience measures outlined in the description of development above. Natural Resources Wales have indicated that the resilience measures proposed are in their view insufficient, and that further measures, such as the raising of floor levels inside the building should also be considered. The applicants have indicated that they are not prepared to consider the further measures suggested by NRW and that they want the application considered as submitted. The further measures suggested by NRW would compromise the capacity of the proposals to deliver a development that the applicants would consider viable as it would restrict the overall potential of the existing building. Further, the suggestions of NRW would undermine the appearance and integrity of a listed building, as it would inevitably impact the existing original proportions and openings at the building to an unacceptable degree.

The planning application is supported with a full Flood Consequences Assessment that builds on those previously submitted to support the redevelopment of this site and takes account of recent changes the most notable of which is the provision of a flood relief channel immediately to the north of the site. The Flood Consequences Assessment reveals that, in the 1 in 1000 year flood scenario, the depth of flooding across the application site varies between 600mm and 1m due to a difference in levels across the site. At the deeper end this exceeds the maximum set down in TAN 15 Development and Flood Risk. It also reveals that the nature of the flooding is such that there is no flow through the site as the type of flooding is akin to ponding resulting from local culverts being unable to convey the exceedances/volume of water. Flow rates are therefore not an issue.

As such and keeping in mind the inherent value of restoring an important listed building to ensure its continuity, in this instance the benefit of allowing the development is considered to outweigh the policy objection on flooding grounds.

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.

Historic context

The application property is a grade II listed building and whilst issues relating to its status will be appropriately dealt with under the concurrent Listed Building Consent

application, Members should also note that the Glamorgan Gwent Archaeological Trust have expressed the view that this is not an impediment to the repair and refurbishment of the building as long as appropriate mitigation is employed.

Drainage

Though Flood Risk Management have suggested the use of planning conditions Members should also note the development will be required to provide a Sustainable Urban Drainage based solution to roof and yard areas of the site.

Ecology

The current state of the building did raise some concern that it might provide roosting opportunities for bats. The building has been the subject of investigation that reveals that such opportunities are in fact severely limited given the absence of the roof. The Council's Ecologist has considered the findings of the report, accepts them, and advises that opportunities for biodiversity enhancement be secured with planning conditions.

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.

The Section 106 requirements in this case

The proposed development does not generate a requirement for any Section 106 contributions in this instance.

Conclusion

The application is considered to comply with all relevant policies of the Local Development Plan other than AW10 that relates, amongst other things, to the issue of flooding. Similarly, other than in respect of the flooding issue, the proposals are entirely compliant with national planning policy and guidance. In light of this and the fact that the developer has given a clear indication of an ability to build in flood resilience to the conversion works the restoration of the building as five dwellings is on balance considered acceptable subject to the following conditions.

RECOMMENDATION: Approve

1. The development hereby granted consent shall be begun not later than the expiration of five years beginning with the date of this consent.

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

- Site location plan, Drawing No. A1.0
- Existing site layout Drawing No.A1.1
- Existing floor plans Drawing No.A1.2
- Existing elevations Drawing No. A1.3
- Proposed site layout Drawing No. A1.4
- Proposed ground floor plan Drawing No.A1.5
- Proposed first floor and roof plan Drawing No.A1.6
- Proposed elevations Drawing No.A1.7
- Existing and proposed sections Drawing No.A1.8

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 there has been submitted to and approved 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.

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

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.

5. Construction works on the development shall not take place other than during the following times:

- (i) Monday to Friday 08:00 to 18:00 hours
- (ii) Saturday 08:00 to 13:00 hours

No works shall take place at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

6. Notwithstanding the details shown on the submitted plans, development shall not commence until full engineering design and detail of the off-street parking have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial use.

Reason: In the interests of highway and pedestrian safety.

7. HGV's used as part of the development shall be restricted to 09:00 to 16:30 hours weekdays, 09:30 to 13:00 hours Saturdays with no deliveries on Sundays and Bank Holidays.

Reason: In the interests of the safety and free flow of traffic.

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

Reason: In the interests of highway safety and to prevent overcapacity in the highway drainage system.

9. Prior to the commencement of development, details for the provision of bat boxes to be incorporated within the conversion scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter.

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

10. Prior to commencement of the development hereby approved details shall be submitted indicating the extent of the demolition of the existing masonry walls of the building. The works shall be subject to written approval by the Local Planning Authority and carried out in accordance with the approved details.

Reason: In order to prevent the unnecessary loss of historic fabric of the building.

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PLANNING & DEVELOPMENT COMMITTEE

22 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1281/10 (RP)
APPLICANT: Mr Craig Thomas
DEVELOPMENT: First floor extension to create extra office space
(Amended plans received 14/12/2023).
LOCATION: SBM CAR SALES, MAIN ROAD, TON-TEG,
PONTYPRIDD, CF38 1PW
DATE REGISTERED: 20/11/2023
ELECTORAL DIVISION: Ton-teg

RECOMMENDATION: Approve

REASONS:

The principle of constructing an extension to the existing sales office at what is a longstanding commercial site is acceptable.

Furthermore, it is not considered that the proposal would have a significant impact upon the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties or highway safety in the vicinity of the site.

The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 AW6 and AW10).

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning consent is sought for the extension of an office building that is sited within the curtilage of an existing car sales forecourt at Main Road, Tonteg.

The additional office space sought by the applicant would be achieved via the introduction of a first-floor extension that would sit atop of the existing flat roofed

structure at the site. Thus, the extended office accommodation would measure approximately 8.35m in width by 8m in depth maximum. The application details that the extension would be of timber frame construction and would extend to 5.65m in height from the ground level of the forecourt, in comparison to the existing flat roofed building's height of 3.25m.

The application would allow for a further two offices to be developed at the site, in addition to a kitchen and W/C. To the north-eastern side of the extended office, a new external stairwell would allow access/egress to and from the new first floor accommodation.

Members will note that amended plans have been received during the course of the application, primarily in an attempt to overcome privacy concerns raised by those residents that live closest to the site, at Church Road.

SITE APPRAISAL

The application site contains an existing car sales business, in addition a single storey office building and a number of other structures and paraphernalia in the form of canopies, a storage shed and various advertisements.

The site is located off the Main Road, (A473) upon its northern side and is a well-established commercial site that was previously put to use as a petrol filling station and still retains its steel framed pump canopy, part of which would be removed to facilitate the development.

The site adjoins residential development to the west, north and east whilst adjacent to the site, to the south and on the opposite side of the Main Road are semi-detached and detached units, some of which are in commercial use.

PLANNING HISTORY

| | | | |
|---------|---|----------|----------|
| 08/0915 | Open canopy over existing car sales area. | Approved | 27/08/08 |
| 03/2107 | Change of use of Petrol Filling Station to Car Sales Area | Approved | 30/04/04 |

PUBLICITY

The application has been advertised by direct notification to neighbouring properties and the erection of site notices. Letters of objection have been received from four neighbouring residents and raise the following points.

1. Privacy concerns as a result of the first-floor construction;
2. Contend that the extended building would overshadow neighbouring gardens and residences;
3. State the building would become an eyesore and would de-value neighbouring properties;
4. Consider that the proposed extension would be overbearing and out of scale for a residential location;
5. State the use of the external stairwell could create additional noise and disturbance to local residents and could cause anti-social behavioural issues, given that the curtilage of the garage is not enclosed.

CONSULTATION

- Highways and Transportation – No objection nor conditions suggested.
- Public Health and Pollution – No objection, conditions recommended.
- Dwr Cymru – No objection, advisory notes recommended.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

Policy CS2 – places an emphasis on building sustainable growth that benefits Rhondda Cynon Taf as a whole.

Policy AW2 – provides support for development proposals in sustainable locations.

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

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

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

Policy SSA13 - sets out criteria for development within settlement boundaries.

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking Requirements

National Guidance

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

Planning Policy Wales Edition 12 (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. Future Wales: The National Plan 2040 (FW2040) sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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

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

Other relevant national policy guidance consulted:

- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 18: Transport;
- PPW Technical Advice Note 23: Economic Development.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the extension of an existing, single storey office building situated within the demise of a well-established car sales business that is located off the A473 (Main Road) at Tonteg.

Given that the site is located within settlement limits and has historically been put to commercial use, the proposal to create additional office space as an ancillary function to the car sales garage is considered to be acceptable in principle.

However, this would be subject to further consideration of the site-specific criteria set out below.

Impact on the character and appearance of the area

The scheme would involve the construction of a first floor atop of an existing single storey building to allow for additional office space to be developed at the site, without compromising on the external car sales area and circulation space available.

As a result of the location of the car sales business, it is acknowledged that the formation of what would be a two-storey building, with an external stairwell, would inevitably result in a visible feature when viewed from the A473 (Main Road) and the immediate area. However, the existing building is irregular in its footprint and is of a rather small scale (53m²) such that the increase in height of its flat roof, from 3.25m to 5.65m, is unlikely to create significant visual detriment to the street scene.

The surrounding area also has a mixed character and other commercial buildings can be seen nearby, such as the Tesco Express store that is sited within close proximity to the A473, which is in the order of 6m in height, whilst there are already dominant structures visible at the application site in the form of the aforementioned pump canopy and open canopies that cover the car sales area, with these extending to 4m and 4.3m in height respectively.

Consequently, it is not considered that the proposed development would cause sufficient detriment to the character and appearance of the area to a degree that warrants refusal of the application.

Impact on residential amenity and privacy

The proposed extension is not considered to have a significant overshadowing or overbearing impact upon the surrounding neighbouring properties for the following reasons:

In terms of overlooking, members will note that amended plans have been received which show that the window opening that would serve Office No. 2 has been re-located to face south-west (instead of north-west) and therefore residents at Church Road would not be directly overlooked as a result of the development. Further, by virtue of distance, it is not considered that the re-located window opening would compromise upon the existing levels of privacy that the occupants of The Laurels currently enjoy.

In addition, the applicant has removed a casement window from the north-western elevation of the extension, which would serve a kitchen, and has replaced this with a high-level opening via an increase in its eil height, whilst the landing area of the stairwell would be enclosed with a 1.8m privacy screen.

It is noted that the objectors to the scheme have raised concern as the impact of the development upon their existing levels of sunlight and daylight and consider the extended building would be overbearing. Whilst the neighbouring resident's concerns are appreciated in this regard, it is not considered that any such impacts would be unacceptable or would cause sufficient detriment for the application to be refused on these grounds alone. The rear gardens of properties at Church Road already experience a degree of enclosure from the boundary wall with the application site and some residents have capped the wall with fencing or have established hedging, it is assumed to mitigate against any detriment from the existing operation of the car sales business and the ancillary valeting operation that takes place on the northern boundary of the site. Further, the existing canopies at the site have an enclosing effect.

The neighbouring residents are understandably concerned about the loss of light, particularly to their respective gardens. However, the rear elevations of dwellings located at Church Road are south facing. Subsequently, whilst there may possibly be some loss of sunlight to the rear gardens in the winter months, there would still be adequate daylight and sunlight at all times of the year, particularly considering the southerly orientation, the flat roofed nature of the office building and that it is set in from its north-western boundary (with No. 5 Church Road) by approximately 5.6m and northern boundary by 7.3m.

Taking the above into account, whilst acknowledging that the proposed extension would be a highly legible form of development to the neighbouring occupants, it is not considered that any detriment that may be caused via overshadowing or overbearing

impacts would be significant. Consequently, the application is considered to be acceptable in terms of its impact on the amenity and privacy of neighbouring residents.

Highways and Accessibility

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

Location

The application site is served off the A473 (Main Road) which provides continuous footway links on either side of the carriageway, a bus stop fronting the site and double yellow lines on either side of the carriageway.

Parking

The existing operation provides 53m² of ancillary office space which has a parking requirement of 2 spaces in accordance with SPG: Access, Circulation & Parking Requirements (March 2011).

The proposal will increase the office space provided to a total of 106m² which has a parking requirement of 4 spaces in accordance with SPG: Access, Circulation & Parking Requirements (March 2011).

Highways Summary

The site provides ample space internally to cater for the increase in parking requirements. Therefore, taking into consideration that staffing levels at the site would not increase and that double yellow lines along Main Road prevent indiscriminate on-street parking, the proposal is not envisaged to have any adverse impact on highway or pedestrian safety and therefore, is considered acceptable.

Neighbouring Consultation Responses

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

The objectors have tendered objections regarding the potential for additional noise and disturbance to be created as a result of the construction of the stairwell, which would be the main point of access to and from the first floor of the building. However, considering that the application would be limited to the creation of a further two offices at the site only (four in total) and that staffing levels would not increase nor operating hours alter, it is not considered the use of the stairwell by employees or customers of the business would be significant, whilst separate mechanisms exist outside of the planning process should any anti-social behaviour occur, for example from third parties loitering on the stairwell.

Lastly, it is a well-established planning principle that the de-valuation of properties, as a result of any new development, is not a material matter and cannot be taken into consideration when appraising this planning application.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The principle of constructing an extension to the existing sales office at what is a longstanding commercial site is acceptable. Furthermore, it is not considered that the proposal would have a significant impact upon the character and appearance of the locality, the residential amenity of the surrounding neighbouring properties or highway safety in the vicinity of the site.

The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5 AW6 and AW10).

RECOMMENDATION: GRANT, SUBJECT TO THE BELOW CONDITIONS:

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s) and documents received by the Local Planning Authority on <insert date>, 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.

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PLANNING & DEVELOPMENT COMMITTEE

22 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/1335/09 (GH)
APPLICANT: Lolly Support Services Ltd
DEVELOPMENT: Certificate of Lawfulness for a proposed change of use of a dwelling C3(a) to a Children's Residential Home C2 for up to 2 children.
LOCATION: 134 TURBERVILLE ROAD, PORTH, CF39 0ND
DATE REGISTERED: 31/01/2024
ELECTORAL DIVISION: Porth

RECOMMENDATION: GRANT A CERTIFICATE OF LAWFULNESS

REASONS:

The proposal to utilise the existing residential dwelling for the provision of residential accommodation and care for up to 2 no. children between the ages of 8 to 18 years, alongside 24 hours support staff coverage, operating in shifts, is considered to result in a prima facie change of use, Class C3 to Class C2.

However, based on the evidence and supporting information submitted by the applicant, as a matter of fact and degree, the change of use would not be considered material. Consequently, the development is lawful for planning purposes and planning permission is not required. Therefore, a Certificate of Lawfulness can be issued.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Ros Davies for the matter to come to Committee.

APPLICATION DETAILS

This is an application for a Certificate of Lawfulness for a Proposed Development under Section 192 of the 1990 Act ('CLOPUD') that seeks to establish whether the proposed use of a residential dwelling at 134 Turberville Road, Porth, as a residential children's home, as detailed in the description of development, submitted plans and associated documents, would be lawful for planning purposes.

Effectively, the application seeks to establish whether the proposal would result in a material change of use of the property or if it is capable of being carried out without the need for planning permission.

The proposal seeks to utilise the existing house for the provision of residential accommodation and care for up to two children between the ages of 8 – 18 years old. The children would be supported by up to three staff during the day and two at night.

The supporting information submitted with the application sets out that the registration of the home would be with of a maximum of two children on a staff ratio of 1:1:

- A registered manager would work Monday to Friday, between 8am and 5pm
- Care staff would work shifts from 8am to 8pm, with two on a day shift and one waking night duty and another one on a sleep-in basis.

The application details also outline that the existing residential setting would be maintained, which comprises three bedrooms, a lounge/diner, kitchen/breakfast room and a bathroom.

SITE APPRAISAL

The application property comprises a mid-terrace Victorian three-bedroom dwelling which is located on hillside to the north-west of Porth town centre.

The house has an appearance typical of its age, with a dressed stone elevation, ground floor bay window and canopy. It is set back from the western side of Turberville Road by a small, enclosed garden.

To the rear of the property, the house has a two storey off-shot leading to a long and steep rear garden, beyond which is an unadopted and unmade rear lane.

At the southern end of Turberville Road there is a small convenience store; however, all of the surrounding development is residential and mostly of the same era.

PLANNING HISTORY

There are no recent or relevant applications on record with this site

PUBLICITY

The application seeks the determination of whether the proposed use is lawful and as such no consultation with nearby properties is therefore required to be or has been undertaken.

CONSULTATION

The application seeks the determination of whether the proposed use is lawful and as such no internal/external consultation is required to be undertaken. However, despite this fact, given the nature of the proposed determination, consultation has been undertaken with the Council's Legal and Democratic Services section in order to gain a legal opinion in respect of the proposed use.

The Council's Solicitor commented that having assessed the information submitted and the nature of the proposed use described, the Council could properly issue a Certificate of Lawfulness should the proposal not be considered to constitute a material change of use; hence planning permission would not be required.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The determination of this application cannot include any consideration of the planning merits of the case. Therefore, there are no Local Development Plan policies that need to be taken into account.

National Guidance

Welsh Office Circular 24/97: Enforcing Planning Control, Annex 8, deals with 'Lawfulness and the Lawful Development Certificate.'

Paragraph 8.26 states that if the LPA are supplied with information satisfying them that the use or operations described in the application would be lawful, they shall issue a certificate to that effect and, in any other case, they shall refuse the application. The burden of proof is firmly on the applicant.

Paragraph 8.28 advises that a LDC granted under Section 192 shall specify the land to which it relates, describe the use or operations in question (identifying the relevant use class where appropriate), and give the reason why the proposal would be lawful.

REASONS FOR REACHING THE RECOMMENDATION

Scope of application and legislative background

This is an application for a Certificate of Lawfulness for a Proposed Development under Section 192 of the 1990 Act ('CLOPUD') that seeks to establish whether the proposed use of the existing residential dwelling as a residential children's home, as detailed in the description, the submitted plans and associated documents, would be lawful for planning purposes. In effect the application seeks to establish whether the proposal would result in a material change of use of the property or is capable of being carried out without the need for planning permission. As such the application should be determined on the facts submitted and the law rather than on planning policy/merits.

As noted further above, the property is a three-bedroomed dwelling house located within a residential area of Porth. The property is intended to be used for the provision of residential accommodation and care for up to 2 no. children between the ages of 8 – 18, with up to 2 no. support staff at the property 24 hours a day, operating in shifts through a sleep in service and with a manager present during working hours.

The new use would not result in any external alteration and the application does not include proposals to change the internal layout of the property. Consequently, the children and staff would share the kitchen, bathrooms and communal facilities and the children would each have their own bedroom. Furthermore, the children would be expected to attend education during the week and the support staff would assist the children with recreational activities after school and on the weekends.

Section 55(1) of the Town and Country Planning Act 1990 defines the term 'development' which includes the making of any change of use of any buildings. Section 55(2) (f) explains in the case of buildings used for a purpose of any class specified by the Welsh Government the use of the building for any purpose within the same class shall not be taken for the purpose of the Act as amounting to 'development'.

On 25 February 2016 the Town and Country Planning (Use Classes) Order 1987 was amended in Wales by the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2016 whereby Part C of the Schedule now states:

Class C3. Dwelling Houses

Use as a dwelling house (whether or not as a sole or main residence) by –

(a) A single person or by people to be regarded as forming a single household;

(b) Not more than six residents living together as a single household where care is provided for residents; or

(c) Not more than six residents living together as a single household where no care is

provided to residents (other than a use within C4)' (Class C4 relates to the use of a dwelling house by not more than six residents as a house in multiple occupation).

In light of the above, the proposed use of the property would clearly not fall within Class C3(a) as it would not be occupied by people living together as a family. Further, it would not fall within Class C3(c) as an element of care would be involved. Consequently, unless the proposed use falls within Class C3(b), it would fall within Class C2.

Whilst the definition of Class C3 was altered in the amendment Order 2016, the definition of 'care' was not, and therefore remains as stated in the original 1987 Order:

'In this Order, unless the context otherwise requires:

'care' means the personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment;'

The Order however does not define the term 'personal care' but the term is defined in the Cambridge Dictionary as:

'the job of helping people who cannot take care of themselves, for example because they are disabled'

Alternately, the Department of Work and Pensions defines the term 'personal care' as:

'personal care includes: assistance with dressing, feeding, washing and toileting, as well as advice, encouragement and emotional and psychological support.'

It is noted that the definition of 'care' within the Order appears to exclude the personal care of children, except in Class C2. In class C3 there is reference (in the parenthesis to C3(b)) to care provided for residents, but that care does not by the definition clause include the care of children.

In the determination of this application, the key issues are twofold: Firstly, would the proposed use fall within current use class of the property, Class C3 (dwelling house), or Class C2 (residential institutions)? Secondly, if the proposed use is held to fall within Class C2, would this result a material change of use for which planning permission should be sought?

Consideration

The answer to the first question, above, is that children's homes fall within Use Class C2 Residential Institutions and not Class C3 Dwelling Houses

Development Control Practice (DCP) explains that the key consideration is *North Devon District Council v First Secretary of State and Southern Childcare [2003]*. The case concerned the use of a house to provide residential care for two children.

In this regard, it was held that the concept of what constituted a household, as per the wording of Class C3 within the Use Classes Order, was more than just a matter of the number of occupants. Furthermore, it was necessary to assess whether the occupants could truly be regarded as a household.

It was determined that children, on their own, cannot be considered to form a single household and carers who did not live there all the time meant that the use fell within Class C2. This has become the established case law position.

Moving onto the second issue and whether the proposal would constitute a material change of use is a matter of fact and degree. DCP contains numerous example of past appeals where Inspectors have based their judgment on the level of occupation and intensity of use; any changes to the appearance of the property; any alterations to internal layout; the nature of the comings and goings associated with the use; the scale and location of the proposed use and any impact on local amenity.

These considerations are not an exhaustive list, but in judging whether the overall character of the proposed use at 134 Turberville Road would differ materially from that of a dwellinghouse or the existing residential use and context of the surrounding area, the following points are noted:

- The North Devon case operated on the basis of non-resident carers working a shift pattern but it was found that this would not result in a material change of use. Therefore, that the dwelling would effectively act as a place of employment for the relevant staff is not a concern.
- The proposed times of the shift changeover at 08:00 and 20:00 hours would not be at unsocial times or likely vary from, or be at odds with, the patterns of movement caused by other local residents returning to and from their homes either due to work, shopping, school or other social activities.
- No changes are proposed to the appearance of the property or its internal layout.
- Regarding intensity of use and the level of occupation, this is limited by the scope of the application and the physical size of the property and would therefore be comparable to other neighbouring dwellings.
- The proposed parking requirements would not be considered to be materially different from those associated with other residential uses in the locality, where the number of vehicles associated with a family, or the number of comings and goings can vary.
- The two children would be accommodated and cared for in a manner that would be as close as possible to that of any other family occupied unit.

On the basis of the foregoing and having reviewed the outcomes of comparable appeal decisions at Fenland (re. 2155849), Poulton Le Fylde (ref. 3277997), Rochdale (ref. 3145074), Brecon (ref. 2205394), it is considered that the proposed children's home would not represent a material change of use and thus the issuing of a Certificate of Lawfulness would be appropriate.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The proposal to utilise the existing dwelling for the provision of residential care for up to 2no. children between the ages of 8 – 18, along with up to 3 no. support staff operating in shifts, is considered to fall within Use Class C2.

However, based on the evidence and supporting information submitted by the Applicant and a review of case law, it is considered as a matter of fact and degree, that the change of use would not be considered material.

Consequently, the proposed development is lawful for planning purposes and planning permission is not required. As such Certificate of Lawfulness can be issued for this proposal.

RECOMMENDATION: GRANT A CERTIFICATE OF LAWFULNESS

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PLANNING & DEVELOPMENT COMMITTEE

22 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 24/0073/10 (MF)
APPLICANT: Friends of Aberdare Park
DEVELOPMENT: Solar panels to roof of splashpad building.
LOCATION: ABERDARE PARK, GLAN ROAD, GADLYS, ABERDARE
DATE REGISTERED: 23/01/2024
ELECTORAL DIVISION: Aberdare West and Llwydcoed

RECOMMENDATION: Approve, subject to conditions.

REASONS: The proposed development would help to ensure the longevity of the existing public facility by providing a renewable energy supply that would reduce its carbon footprint and increase both its sustainability and viability. This would in turn ensure the well-used splashpad facility can be enjoyed by members of the community into the future.

Furthermore, it is not considered the proposed solar panels would have any detrimental impact upon the visual amenity of the Park or its historic setting.

The application therefore complies with the relevant local and national planning policies and is considered acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

The application has been submitted by an immediate family member of a serving Councillor.

APPLICATION DETAILS

Full planning permission is sought for the erection of 28 no. solar photovoltaic panels to the roof of the splashpad building within Aberdare Park. The panels would be sited in 2 no. linear rows across the flat roof in an east/west direction and would project by approximately 300mm. The panels would provide a renewable electricity supply to the building reducing its carbon emissions and at the same time securing its viability, helping to ensure the longevity of the facility.

SITE APPRAISAL

Aberdare Park is a large public park on the outskirts of the town centre that accommodates various recreation facilities. It is a Grade II* Historic Park and Garden registered as such because it forms a well-preserved Victorian public park partly laid out by the eminent park and garden designer, William Barron.

The application property forms a small, single storey building within the centre of the Park that accommodates changing facilities and toilets associated with the splashpad. The building is of a typical utilitarian design comparable to many other changing room facilities found within public parks throughout the County Borough, being of concrete construction with a flat roof.

The immediate area adjacent to the application property forms the splashpad facility. This includes the splashpad itself, the changing room / toilet block building subject of this application, and a small single story kiosk where light refreshments are sold. The splashpad area is sited roughly centrally within Park, adjacent to most other recreation facilities provided within it. This part of the Park was formerly occupied by a small paddling pool which is believed to have been added around 1950 and replaced by the splashpad circa 2019.

PLANNING HISTORY

There is a long history of planning applications at the Park which relate to various different developments that have taken place throughout it over the years. As such only the planning history considered relevant to the splashpad area is set out below.

18/1165/10 – Convert defunct paddling pool into a water play area (splash play).
Decision – Granted, 07/12/18

PUBLICITY

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

CONSULTATION

None undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The current LDP's lifespan was 2011 to 2021. It has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 04

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

The application site is located inside of the settlement boundary for Aberdare but is not allocated for any specific purpose.

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

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

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

Supplementary Planning Guidance

- Design and Placemaking
- The Historic Built Environment

National Guidance

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

Planning Policy Wales Edition 12 (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. Future Wales: The National Plan 2040 (FW2040) sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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

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

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

Other relevant national planning policy guidance consulted:

- PPW Technical Advice Note 12: Design
- PPW Technical Advice Note 24: The Historic Environment

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.

Principle of the Proposed Development

The application seeks full planning permission for the erection of 28 no. solar panels to the roof of a long-established existing building within the public park. The panels would provide a renewable electricity source to the building reducing its carbon footprint and increasing both its sustainability and viability, which will ensure that the facility is open to members of the public into the future, providing a beneficial use to all members of the community. The development is therefore considered acceptable, in principle, subject to compliance with the relevant material considerations set out below.

Visual Impact

The application property is sited within the centre of the Park. Consequently the proposed solar panels would not be visible from views outside of the Park and would have no impact upon the character of the Park or its historic setting from these areas.

The panels would however be visible from views within the Park, and from all directions given the host building's central location. Despite this fact the panels are relatively minor in scale and design and would project by only approximately 300mm. Therefore, while visible, it is not considered the panels would be overly prominent and would appear as an integral feature of the building.

Further, sited on what is already a building of utilitarian design and appearance and one that is not original to the historic setting of the Park, it is not considered the panels

would have any further impact upon the Park's historic setting than the existing host building itself.

There are consequently no concerns in visual terms.

Residential Amenity

The closest residential dwellings to the building are approximately 135m away at Hirwaun Road to the east. Given the separation distance and the relatively minor development works proposed it is not considered the proposal would have any direct impact upon the outlook from these properties or cause any other form of physical detriment to them.

Subsequently, in terms of the potential impact upon the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Community Infrastructure Levy Liability

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

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

Conclusion

The proposed solar panels would provide a renewable energy source to the existing building, reducing its carbon footprint and increasing its sustainability and viability. This will in turn help to ensure the longevity of the facility so it can be enjoyed by members of the public into the future, providing a beneficial use to all members of the community.

While it is acknowledged the panels would inevitably form a visible feature within their immediate locality, it is not considered they would have any detrimental impact upon the visual amenity of the Park or its historic setting when viewed in the wider context.

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

RECOMMENDATION: Approve, subject to conditions below.

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

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

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

- Site Location Plan
- Elevation and Floor Plans
- Proposed Solar Panel Layout
- Project Report

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.

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
MUNICIPAL YEAR 2023-2024:**

Agenda Item No.

**PLANNING AND
DEVELOPMENT COMMITTEE
22nd FEBRUARY 2024**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

APPLICATION NO: 23/0679 - Change of use from bed and breakfast to 11-bedroom House in Multiple Occupation (HMO) use (Amended Plans received 01/12/2023), CENTRAL HOUSE GUEST HOUSE, STOW HILL, TREFOREST, PONTYPRIDD, CF37 1RZ

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 initially report to 23rd November 2023 Planning and Development Committee with an officer recommendation of approval. At that meeting, Members considered that the proposal was an over-intensification of use with sub-standard accommodation provided. Consequently, Members resolved to defer determination of the application in order to request that the developer reduce the number of bedrooms at the proposed HMO and to seek greater clarity on the refuse/ bin storage facilities.

The application was subsequently reported to 25th January 2023 Planning and Development Committee with an officer recommendation of approval. Amended plans were provided by the developer which showed an area dedicated for recycling storage and waste storage bins provided within the grounds of the property. The developer also noted that a minimum of 11 bedrooms was needed at the site to make the development viable and as such, the number of bedrooms could not be reduced, and the development was maintained as a 11-bed HMO: '*Change of use from bed and breakfast to 11-bedroom House in Multiple Occupation (HMO) use (Amended Plans received 01/12/2023)*'. Members resolved to refuse the planning application as they considered that the development represented overdevelopment of the application site.

It should also be noted that since the application was considered at the Planning and Development Committee on 25th January a further third party letter of objection was received in relation to this application. The objector raised concerns with the application and opined that that the proposal would increase problems and would be detrimental to the amenities of local residents.

4. PLANNING ASSESSMENT

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

Full planning permission is sought for the conversion of an existing bed and breakfast to a House in Multiple Occupation (HMO).

The site is situated within the settlement boundary limits of Treforest in a predominantly residential area. It is considered that Houses in Multiple Occupation (HMOs) have a key role to play in meeting housing need within the Social Rented sector and the proposal would assist in providing additional accommodation within this sector. However, it is also acknowledged that multiple occupation of a house can involve the intensification of its residential use and that this intensification of occupation could result in increased levels of activity in and around the house, which can have negative impacts on occupants, their neighbours, and the local community.

Notwithstanding, the application site is in a predominantly residential area and in a sustainable location with good access to public transport and key services and facilities which is considered acceptable. Furthermore, the application complies with relevant policies of the Council's Houses in Multiple Occupation (HMO) Supplementary Planning Guidance (SPG).

The site also relates to an existing building and the proposal would be residential in nature, which is considered acceptable at this location. The proposal would not involve substantial external alterations and would not be considered to impact upon the character and appearance of the application property or upon the amenity and privacy of surrounding properties, nor would it have any adverse impact upon highway safety in the vicinity of the site.

However, Members raised concerns with regards to the increase in bedrooms at the site, which they considered would lead to an intensification of use and overdevelopment of the site. Some members also noted that the facilities and amenities proposed were lacking and that the Local Planning Authority should aspire to provide good quality accommodation for future occupants. If Member consider that the development would lead to an intensification of use and overdevelopment of the site, which would detriment residential amenities, the development could therefore be considered contrary to Policy AW5 of the Local Development Plan.

It should be noted that the officer's report considered that the property would be of a sufficient scale and that the development proposals would provide adequate space for people's living needs. The developers also contend that they consider sufficient space would be provided for future occupants of the HMO and that they consider the development would comply with the Rhondda Cynon Taf HMO Landlord Guide. It should also be noted that under the Wales wide Mandatory Licensing Scheme, HMOs that are 3 storeys or more and occupied by 5 or more persons living in 2 or more households are required to be licensed. In addition to those buildings that require a licence under Mandatory Licensing, from the 1st April 2019 all HMOs in the borough are required to be licensed under the Additional Licensing (Houses in Multiple

Occupation) Scheme 2019. As such, the proposed HMO would need a licence and would need to meet the required amenities and facilities standards.

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

5. RECOMMENDATION

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

1. The proposal represents an intensification of use and is considered overdevelopment of the site, which would have a detrimental impact on the amenities of future occupiers and the amenities of nearby residents. As such, the application would be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

23 November 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0679/10 (GRD)
APPLICANT: D2 PropCo Limited
DEVELOPMENT: Change of use from bed and breakfast to House in Multiple Occupation (HMO) use (Amended Plans received 30/08/2023)
LOCATION: CENTRAL HOUSE GUEST HOUSE, STOW HILL, TREFOREST, PONTYPRIDD, CF37 1RZ
DATE REGISTERED: 30/08/2023
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Approve, Subject to conditions

REASONS: Houses in Multiple Occupation (HMOs) have a key role to play in meeting housing need within the Social Rented sector and the proposal would assist in providing additional accommodation within this sector. However, it is also acknowledged that multiple occupation of a house can involve the intensification of its residential use and that this intensification of occupation could result in increased levels of activity in and around the house, which can have negative impacts on occupants, their neighbours, and the local community. Notwithstanding, the application site is in a predominantly residential area and in a sustainable location with good access to public transport and key services and facilities which is considered acceptable. Furthermore, the application complies with relevant policies of the Council's Houses in Multiple Occupation (HMO) Supplementary Planning Guidance (SPG).

The site also relates to an existing building and the proposal would be residential in nature, which is considered acceptable. The proposal would not involve substantial external alterations and would not be considered to impact upon the character and appearance of the application property or upon the amenity and privacy of surrounding properties, nor would it have any adverse impact upon highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the conversion of an existing bed and breakfast to a House in Multiple Occupation (HMO). The applicant has confirmed that the conversion would not involve external changes at the property, except for some minor works including replacing windows and a small screening fence to the decking to the rear of the site.

The proposed House in Multiple Occupation would contain 11 bedrooms, 5 of which would benefit from en-suite facilities, arranged over two floors of the property. The HMO would also have a living room, kitchen, office and shower room and W/C to ground floor, with a further bathroom to first floor and storerooms, a bathroom and internal 'amenity space' for residents to the second floor of the building.

Amended plans were received on 30/08/2023 which provided a slight amendment to the application site red line boundary. The amended plans provided also reduced the bedrooms proposed at the HMO from 13 to 11 and included an additional indoor 'amenity space for residents' along with store rooms to the second floor.

SITE APPRAISAL

The application site relates to Central House Guest House, a detached bed and breakfast guest house, situated in a predominantly residential area of Treforest, towards the western edge of the village at the top of Stow Hill. The site is bound to the north and east by the adjacent highway with a small lane to the south of the site. Some shrubbery and trees are sited along the northwest of the site, with a neighbouring property's garden positioned to the west of the application site.

Vehicular access to the building is gained from the southeast via Stow Hill and the property benefits from parking areas within its curtilage to the front of the building. Pedestrian access can be gained to the property from both Stow Hill and via the adjacent lane to the south of the site. The application site also contains an outbuilding to the rear of the guest house along with an existing raised decking area.

Surrounding properties vary in terms of scale and design being a mixture of traditional terraced and more modern detached and semi-detached dwellings.

PLANNING HISTORY

21/0617/10: CENTRAL GUEST HOUSE, STOW HILL, TREFOREST, PONTYPRIDD, CF37 1RZ. '*Proposed two bedroom annexe ancillary to and in the grounds of Central Guest House, Stow Hill, Pontypridd*'. Granted, 04/10/2021

14/0254/10: LAND ADJACENT TO CENTRAL GUEST HOUSE, STOW HILL, TREFOREST, PONTYPRIDD, CF37 1RZ: '*Retrospective dry room/store*'. Granted, 02/05/2014

05/2070/10: LAND OFF STOW HILL, TREFOREST, PONTYPRIDD. '*Proposed construction of residential property to serve as bed and breakfast establishment*'. Granted, 14/04/2006.

05/0219/10: LAND AT STOW HILL, TREFOREST, PONTYPRIDD: '*Temporary permission for siting of caravan for applicants residential use*'. Granted, 12/05/2006

05/0091/10: LAND OFF STOW HILL, TREFOREST, PONTYPRIDD: '*Proposed Bed & Breakfast Accommodation*'. Refused, 01/09/2005.

PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of a site notices in the vicinity of the site. No letters of objection were received from neighbours following consultation.

CONSULTATION:

Pontypridd Town Council

Object strongly to the planning application. The objections received from the Town Council are as follows:

- Traffic and Parking – The Town Council consider that the area has issues with traffic and parking and that parking is currently inadequate. The proposal would exacerbate the issue for residents and businesses and would negatively impact the quality of local residents' amenities.
- The Town Council also consider that the proposal would potentially cause mental distress, contrary to creating a 'Healthier Wales' and contrary to the 'Well-being of Future Generations (Wales) Act 2015'
- The Town Council consider that there is a surplus of student accommodation available in the immediate area and as such, they consider that local residents and their families are being forced to move from the community, which would not be deemed satisfactory to the sustainability of the community.

Local Highway Authority

No objections.

Flood Risk Management

No objections.

Public Health & Protection

No objections, subject to condition. Advisory notes recommended.

Dwr Cymru/ Welsh Water

No objections, subject to condition. Advisory notes recommended.

South Wales Police

No objections. Advisory notes recommended.

South Wales Fire and Rescue Service

No objections

Rights of Way Officers

No adverse comments received.

The Local Member for the ward, Councillor Steve Powderhill, has raised concerns with the application and has stated his concerns with Houses in Multiple Occupation (HMO) properties. The Local Member has noted that the guest house has 6 letting rooms and that the proposed 11 bed HMO would double the occupancy with concerns raised with regards to the number of occupants at the site. The Local Member further noted that they understood the need for this type of accommodation, however objected to the number of occupants proposed.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

The application site relates to an existing Bed and Breakfast facility. The following policies are relevant in the determination of this application:

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

Policy AW1 (Supply of New Housing): sets out how the Council will meet the housing land requirement during the plan period.

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

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

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

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

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

Policy SSA13 (Housing Development Within Settlement Boundaries): Outlines criteria for permitting development within the defined settlement boundaries.

Supplementary Planning Guidance

Design and Placemaking
Nature Conservation
Planning Obligations
Access Circulation and Parking
Development of Flats
Houses in Multiple Occupation (HMO)

National Guidance

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

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

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

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

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the change of use of an existing bed and breakfast to a House in Multiple Occupation (HMO).

The application site is in a predominantly residential area and most of the application site, including the guest house itself and the site's associated parking area are within settlement boundary limits. However, minor parts of the application site including an existing outbuilding and decking area are located just outside the settlement boundary line. The site nonetheless has good access to key services and facilities, being located close to bus routes and within walking distance of both Treforest Train Station and the main retail centre of Treforest.

It is recognised that Houses in Multiple Occupation (HMOs) have a key role to play in meeting housing need within the Social Rented sector. HMOs are needed to provide accommodation for low-income individuals or small households who would otherwise be in hostels, overly large households or even homeless. They are popular with students, young, single employed or unemployed persons, small households unable to afford self-contained accommodation and small households who need flexibility to move home. Accordingly, such residents are often transient, with a high turnover of population within these communities.

However, it is also acknowledged that multiple occupation of a house can also involve the intensification of its residential use and that this intensification of occupation could result in increased levels of activity in and around the house, which can have negative impacts on occupants, their neighbours, and the local community.

The Council therefore has a Houses in Multiple Occupation (HMOs) Supplementary Planning Guidance (SPG) with relevant policies relating to proposals for Houses in Multiple Occupation (HMOs) in Rhondda Cynon Taf, and Treforest specifically. The SPG has the twin purpose of identifying when it is deemed that the concentration of HMOs in an area has reached a level considered to adversely impact upon the community and secondly, provide guidance on standards of HMOs and how they should be developed.

The application site relates to a detached building and as such, the development would not result in the 'sandwiching' of non-HMO properties and would not result in more than two HMOs being sited directly adjacent to each other, and as such, the proposal complies with 'Policy HMO 3 – Sandwiching and Adjacent HMOs' of the SPG.

The application site is in Treforest. 'Policy HMO 1 – 20% Threshold Area in Treforest' stipulates that within the Treforest Ward, a threshold of 20% of HMO dwellings (as a percentage of all residential properties) within a 50 metre radius of the planning application address, will be applied. If the proposed HMO would result in this threshold percentage being exceeded, it would be considered unacceptable in principle, and permission refused.

A search of the Council's records shows that there is one other HMO dwelling within 50 metres of the application property, out of a total 20 properties within a 50 metre

radius of the planning application address. The provision of an HMO at the application site would therefore not result the 20% threshold being exceeded, and the proposal complies with Policy HMO 1 of the Houses in Multiple Occupation (HMOs) SPG.

Overall, the proposal is considered to comply with relevant policies of the Local Development Plan in terms of its sustainable location within a residential area. Furthermore, the proposal complies with relevant policies contained within the Council's adopted Houses in Multiple Occupation (HMO) SPG. Consequently, it is considered that the general principle of providing a House in Multiple Occupation at this location is considered acceptable.

Impact on the character and appearance of the area

The proposal would not result in any major external alterations to the property. The character and appearance of the property would therefore remain as existing. Furthermore, the proposal complies with the Council's adopted Houses in Multiple Occupation (HMOs) SPG and it is considered that the provision of an HMO at this location, being residential in nature, would not be considered to alter or harm the general character of the area.

Impact on residential amenity and privacy

The proposal would not result in any substantial external alterations to the property and as such, the outlook gained from the property would remain as existing and it would not be considered that the proposed development would adversely impact upon the privacy of neighbouring occupiers or their amenities by ways of overshadowing or overbearing.

The building is an existing guest house, and as such, there are existing comings and goings to and from the site. It is acknowledged that the provision of an 11 bed HMO could cause some additional disturbances and noise at the site; however, this would not be considered a significant increase or excessive. Furthermore, the application site is a substantial detached building which is bound to the north, east and west by the adjacent highway, all of which provide a degree of separation from other properties within the immediate vicinity thus lessening any additional disturbances caused. The site is also bound to the west by a line of trees and hedgerow which provide some additional privacy for occupiers to the west of the site. Overall, the proposal would be residential in nature, and it is not considered that the development would excessively increase the level of disturbance at the site and would not significantly harm the amenities of neighbouring occupiers.

Concerning future occupiers of the HMO. Bedrooms and habitable rooms offer reasonable levels of outlook, and the property would provide future occupants with a kitchen, office, living room, an internal room providing 'amenity space for residents', two storerooms and a total of 3 bathrooms and 5 en-suites. Overall, the application site is considered of a sufficient scale and the development proposal would provide adequate space for people's living needs.

The proposed HMO would provide limited outdoor amenity space for future occupiers, with only a small, raised decking area to the rear of the site and some areas around

the building provided for future residents. However, the site is situated close to public rights of way routes and is within walking distance of other outdoor open spaces and recreational routes and other facilities and amenities within Treforest, which is considered sufficient to compensate for the lack of outdoor amenity space provided at the application site. It is also considered that sufficient space exists within the grounds of the application site for the storage of bins, recycling, and food waste.

Comments from the Town Council, who consider that the proposed HMO would potentially cause mental distress and would be contrary to a 'Healthier Wales' and contrary to the 'Well-being of Future Generations (Wales) Act 2015' have been considered; however, as discussed above, the Local Planning Authority consider that the proposal would be acceptable in terms of its impact upon residential amenity. Comments were also received from the Local Member who noted that the existing facility contained 6 guest bedrooms rather than the 8 shown on the developer's plans. Whilst this discrepancy is noted, the Local Planning Authority have nonetheless assessed the application as a change of use from an existing guest house to an 11-bedroom HMO and consider the proposal to be acceptable in principle and in terms of its impact upon residential amenity and privacy.

Overall, it is not considered that the proposal would significantly harm the amenities of neighbouring occupiers and the proposal is considered acceptable in terms of its impact on residential amenity and privacy.

Access and highway safety

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

Location:

Although located on a steeply sloping street the location is in a sustainable location close to local amenities and facilities including public transport and the University of South Wales Campus at Treforest.

Whilst there is high demand for on street parking within the surrounding area, no parking restriction or residents parking bays have been implemented along Stow Hill in the vicinity of the site.

Access:

The property is served off Stow Hill which provides continuous footway links on both sides of the carriageway leading to the proposed. On-street turning facilities are also provided near the proposed at Pen yr Ysgol.

No alterations to the existing access arrangements that served the use of the property as a guest house are proposed and the existing access is considered acceptable to provide safe access to the highway.

Parking:

The existing use as a bed and breakfast has a parking requirement of 1 commercial vehicle space, 1 space per 3 non-residential staff and 1 space per bedroom in

accordance with the Council's SPG: Access, Circulation and Parking Requirements (March 2011).

The existing guest house provides 4 spaces marked within the carpark along with circulation, although it is considered that if blocking of cars could be managed an additional 4 vehicles could potentially be accommodated within the car parking area.

In accordance with the Councils' SPG Houses in Multiple Occupation (HMOs) 2018, the proposed change of use to HMO within parking zones 2-4 would require 1 space per bedroom up to a maximum of 3 spaces (for residents) and 1 spaces per 5 units for visitors.

On this basis the proposed would require 3 spaces for residents plus 2 spaces for visitors with 4 spaces provided.

The Local Highway Authority consider that the shortfall in parking is one space for visitor parking. Given the nature of the Council's Access, Circulation and Parking Requirements SPG, which is based on maximum parking, and that the proposed development would be in a sustainable location close to public transport routes with potential to accommodate short-term visitor parking on street or within the off street carpark by means of double parking by agreement. The Local Highway Authority consider that the parking provision is considered acceptable.

Local Highway Authority Recommendation:

The application site is located in a sustainable location with access to local amenities and facilities including the University of South Wales and public transport.

Whilst there is high demand for on street parking within the surrounding area, no parking restriction or residents parking bays have been implemented along Stow Hill in the vicinity of the site.

In accordance with the Councils Supplementary Planning Guidance (SPG) Parking Access and Circulation (March 2011) and Supplementary Planning Guidance (SPG) Houses in Multiple Occupation (HMOs) (May 2018), the proposed change of use would require a lesser parking provision of 3 spaces for residents and 2 spaces for visitor parking. With a total of 4 spaces provided.

Comments and objections received from the Town Council in relation to parking and traffic have been noted and considered; however, the Local Highway Authority have raised no such concerns with the application. Considering that the Council's Access, Circulation and Parking Requirements SPG, which is based on maximum parking, the location of the development in a sustainable location close to public transport routes and potential to accommodate short term visitor parking on street or within the off street carpark by means of double parking by agreement, the parking provision is considered to acceptable

Considering the above assessment, no highway objections have been raised by the Local Highway Authority, nor conditions suggested.

Other Issues:

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

The Council's Public Health Department have issued no objection to the proposal, with standard advice recommended in respect of hours of construction, noise, dust, and waste. The Council's Public Health Department have also noted that all work must be completed with current Building Regulations and that the HMO must adhere to the Council's space and amenity standards.

Furthermore, under the Wales wide Mandatory Licensing Scheme, HMOs that are 3 storeys or more and occupied by 5 or more persons living in 2 or more households are required to be licensed. In addition to those buildings that require a licence under Mandatory Licensing, from the 1st April 2019 all HMOs in the borough are required to be licensed under the Additional Licensing (Houses in Multiple Occupation) Scheme 2019. As such, the proposed HMO will need a licence and will need to meet the required amenities and facilities standards. An advisory note is recommended to any grant of planning permission notifying the developer that a HMO licence will be required for the property.

South Wales Police have also been consulted on the planning application and have offered no objection to the proposal. South Wales Police have noted that they recognise that there is a specific Supplementary Planning Guidance (SPG) in relation to Houses in Multiple Occupation (HMO) at the Council and consider that the application should be assessed in line with said SPG. South Wales Police have further issued several recommendations within their consultation response, including recommendations relating to 'Secured by Design' standards, which are recommended as advisory notes to any grant of planning consent.

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

Natural Resources Wales' Surface Water Flood Risk maps have been used to review the site's surface water flood risk, as per Paragraph 8 of Tan 15. The review concluded that the site does not fall within an area of surface water flood risk. Following consultation, the Council's Flood Risk Management Department does not object to the proposal.

Welsh Water have offered no objections to the proposal, subject a condition stipulating that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. However, due to the nature of the proposed development and that no extensions are proposed, the condition would not be considered necessary. Welsh Water have also noted that the site is crossed by public sewers and watermains and an advisory note is recommended to any grant of planning permission advising the developer as such.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Houses in Multiple Occupation (HMOs) have a key role to play in meeting housing need within the Social Rented sector and the proposal would assist in providing additional accommodation within this sector. The application site is in a predominantly residential area and in a sustainable location with good access to public transport and key services and facilities which is considered acceptable. Furthermore, the application complies with relevant policies of the Council's Houses in Multiple Occupation (HMO).

The site also relates to an existing building and the proposal would be residential in nature, which is considered acceptable. The proposal would not involve substantial external alterations and would not be considered to impact upon the character and appearance of the application property or upon the amenity and privacy of surrounding properties, nor would it have any adverse impact upon highway safety in the vicinity of the site.

RECOMMENDATION: Approve, subject to conditions

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

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

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

- Central Guest House, Stow Hill, Treforest, PONTYPRIDD. Rhondda Cynon Taff CF37 1RZ. Drawing No. 2941. C. 01. Received by Local Planning Authority 30/08/2023.
- Central Guest House, Stow Hill, Treforest, PONTYPRIDD. Rhondda Cynon Taff CF37 1RZ. Drawing No. 2941 C. Received by Local Planning Authority 30/08/2023.

And documents received by the Local Planning Authority on 26/06/2023, 07/07/2023 and 30/08/2023 and 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. Within 2 months of the date of this decision, a scheme for biodiversity enhancement shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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PLANNING & DEVELOPMENT COMMITTEE

22 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 29/01/2024 – 09/02/2024

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

22 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: 23/0677/13
APPEAL REF: CAS-03060-M6F4X2
APPLICANT: Mrs Griffiths
DEVELOPMENT: 1 no. detached dwelling
LOCATION: LAND LYING EAST OF 188 MERTHYR ROAD,
PONTYPRIDD
APPEAL RECEIVED: 23/10/2023
APPEAL START DATE: 08/02/2024

APPEAL DECISION RECEIVED

APPLICATION NO: 23/1244
APPEAL REF: CAS-02843-H8K9F9
APPLICANT: CJC Estates Ltd
DEVELOPMENT: Residential development and associated works
(Resubmission of withdrawn planning application ref.
21/1198)
LOCATION: LAND ADJ TO PARK SURGERY, WINDSOR STREET,
TRECYNON, ABERDARE, CF44 8LL
DECIDED: 24/02/2023
DECISION: Refused
APPEAL RECEIVED: 03/07/2023
APPEAL DECIDED: 31/01/2024
APPEAL DECISION: Allowed with Conditions

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

Report for Development Control Planning Committee

29/01/2024 and 09/02/2024

Tonypandy

23/1387/10 Decision Date: 05/02/2024
Proposal: Change of use from commercial use class B1 (Office) to use class C3a (Flat for residential use).
Location: 6A LLWYNPIA ROAD, TONYPANDY, CF40 2EL

23/1418/10 Decision Date: 08/02/2024
Proposal: Change of Use of first floor and part rear ground floor Office to 1 bed flat with retention of ground floor front office
Location: BARBARA REES, 103 DUNRAVEN STREET, TONYPANDY, CF40 1AR

Aberaman

23/1375/10 Decision Date: 09/02/2024
Proposal: Proposed extension over existing two storey annexe at attic level
Location: 317 CARDIFF ROAD, ABERAMAN, ABERDARE, CF44 6UU

Aberdare East

23/1241/10 Decision Date: 01/02/2024
Proposal: Proposed new bin store within rear courtyard.
Location: CWRT Y ESGID, VICTORIA SQUARE, ABERDARE, CF44 7LB

23/1376/10 Decision Date: 01/02/2024
Proposal: Proposed replacement shop front including the insertion of a large wheelchair accessible single door to centre re-painting works.
Location: LIGHTHOUSE, 35 VICTORIA SQUARE, ABERDARE, CF44 7LB

23/1379/20 Decision Date: 01/02/2024
Proposal: Conservation Area Consent for a proposed replacement shop front including the insertion of a large wheelchair accessible single door to centre, re-painting works.
Location: LIGHTHOUSE, 35 VICTORIA SQUARE, ABERDARE, CF44 7LB

23/1384/19 Decision Date: 30/01/2024
Proposal: Felling and reduction works to trees located within the grounds of Meadowlands Care Home.
Location: MEADOWLANDS CARE HOME, ABER-NANT, ABERDARE

Aberdare West and Llwydcoed

23/1256/10 Decision Date: 01/02/2024
Proposal: Two storey extension, single storey extension for a garage and a garage with recycling area.
Location: 57A CEMETERY ROAD, TRECYNON, ABERDARE, CF44 8HT

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

Report for Development Control Planning Committee

29/01/2024 and 09/02/2024

Aberdare West and Llwydcoed

23/1450/10 Decision Date: 08/02/2024
Proposal: Single storey rear/side extension to existing dwelling.
Location: 128 MAESGWYN, CWMDARE, ABERDARE, CF44 8TL

Church Village

23/1034/19 Decision Date: 31/01/2024
Proposal: Reduce height of all Alder stems by 3-4 metres by natural target pruning, leaving flowering branch line, to shape as a single group - Works to group of 15-20 Alder trees along north west garden boundary (20 Limetree)
Location: 20 LIMETREE CLOSE, CHURCH VILLAGE, PONTYPRIDD, CF38 2GE

Cwm Clydach

23/0980/10 Decision Date: 07/02/2024
Proposal: Engineering works to level the ground and hardstanding at the rear of the dwelling, access steps to hardstanding, roller shutter door and boundary treatment (Part retrospective). Amended plans received
Location: 89 WERN STREET, CLYDACH, TONYPANDY, CF40 2DJ

Cwmbach

23/1416/10 Decision Date: 02/02/2024
Proposal: Proposed detached domestic garage.
Location: 54 CENARTH DRIVE, CWM-BACH, ABERDARE, CF44 0NH

Hawthorn and Lower Rhydfelen

23/1333/10 Decision Date: 08/02/2024
Proposal: Proposed hip to gable dormer conversion with Juliet balcony, ground floor and first floor rear extensions (Amended plans received 23/01/2024)
Location: MELROSE, CARDIFF ROAD, HAWTHORN, PONTYPRIDD, CF37 5AG

23/1451/10 Decision Date: 09/02/2024
Proposal: Two storey rear extension.
Location: GREYLANDS, 73 CARDIFF ROAD, HAWTHORN, PONTYPRIDD, CF37 5AA

Hirwaun, Penderyn and Rhigos

23/1226/10 Decision Date: 31/01/2024
Proposal: Change of use from Class A1 retail use to Class C6 short-term holiday let (retrospective)
Location: THE WHITE HOUSE, STATION ROAD, HIRWAUN, ABERDARE, CF44 9ST

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

Report for Development Control Planning Committee

29/01/2024 and 09/02/2024

Hirwaun, Penderyn and Rhigos

23/1391/10 Decision Date: 09/02/2024
Proposal: Proposed two storey side extension and single storey rear extension
Location: 72 CAE FELIN PARC, HIRWAUN, ABERDARE, CF44 9QQ

Llantwit Fardre

23/1054/19 Decision Date: 07/02/2024
Proposal: Reduce overhanging branches 2 Oak & 1 Birch
Location: 33 & 35 CAE GARW, LLANTWIT FARDRE, CF38 2TQ

24/0003/10 Decision Date: 09/02/2024
Proposal: Double storey rear extension
Location: 10 FFORDD-Y-CAPEL, EFAILISAF, PONTYPRIDD, CF38 1AP

Mountain Ash

22/1230/10 Decision Date: 06/02/2024
Proposal: Construction of a new footbridge over the Aberdare - Cardiff railway line and associated infrastructure. (Access plan received 19/01/23)(Revised Landscape Management Plan received 27/06/23)
Location: LAND AT FERNHILL RAILWAY STATION, ABERDARE ROAD, MOUNTAIN ASH, CF45 3PT

Pen-y-graig

23/1390/10 Decision Date: 07/02/2024
Proposal: Proposed two storey extension.
Location: ARDWYN, VICARAGE ROAD, PEN-Y-GRAIG, TONYPANDY, CF40 1HP

Penrhiw-ceibr

23/1275/10 Decision Date: 30/01/2024
Proposal: Change of use of southern element of Jazz convenience store from day nursery and play centre (Class D2) to Cafe / Restaurant (Class A3), new floor to be installed to create a two storey restaurant, along with a
Location: JAZZ CONVENIENCE STORE, CHURCH STREET, PENRHIWCEIBER, MOUNTAIN ASH, CF45 3YD

Pentre

23/1394/10 Decision Date: 07/02/2024
Proposal: First floor extension above kitchen and bathroom.
Location: 8 CLARENCE STREET, TONPENTRE, PENTRE, CF41 7LP

Pontyclun West

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

Report for Development Control Planning Committee

29/01/2024 and 09/02/2024

Pontyclun West

24/0012/10 Decision Date: 09/02/2024

Proposal: Detached garage

Location: 21 COWBRIDGE ROAD, BRYNSADLER, PONT-Y-CLUN, PONTYCLUN, CF72 9BS

Pontypridd Town

23/1392/10 Decision Date: 30/01/2024

Proposal: Change of use of 2 upper floors in 9 Market Street, Pontypridd from offices/ storage rooms into 4no. hotel bedrooms to be connected to the Blueberry Hotel via first floor.

Location: NFP PROPERTIES, PHOENIX CHAMBERS, 9 MARKET STREET, PONTYPRIDD, CF37 2ST

Porth

23/1082/10 Decision Date: 05/02/2024

Proposal: Change of use for the first floor from commercial use to a 1 bedroom flat, with a new access staircase to front of provide to provide access at ground floor level. (Amended description and plans received 12/12/23)

Location: 56 HANNAH STREET, PORTH, CF39 9RA

23/1259/10 Decision Date: 06/02/2024

Proposal: Double storey rear extension (Amended Plans received 08/01/2024)

Location: 6 CAEMAWR GARDENS, PORTH, CF39 9DB

23/1383/10 Decision Date: 01/02/2024

Proposal: Proposed single and double storey extension together with hard standing for one car.

Location: 41 DAVIES STREET, PORTH, CF39 0DB

Ton-teg

23/1405/19 Decision Date: 08/02/2024

Proposal: 25% Crown reduction to 3no. Oak trees and Elm tree

Location: 2 HEOL-Y-FEDWEN, TON-TEG, PONTYPRIDD, CF38 1TB

Trealaw

23/1224/10 Decision Date: 01/02/2024

Proposal: Two storey rear extension

Location: 57 RHYS STREET, TREALAW, TONYPANDY, CF40 2QE

Treforest

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

Report for Development Control Planning Committee

29/01/2024 and 09/02/2024

Treforest

23/1371/10 Decision Date: 01/02/2024

Proposal: Two storey rear extension

Location: FARMHOUSE, GRAIG FACH FARM, BRYNTAIL ROAD, GLYN-TAF, PONTYPRIDD, CF37 5LJ

Treherbert

23/1037/09 Decision Date: 01/02/2024

Proposal: Certificate of lawful development for the proposed use of the property for the provision of residential accommodation and care for upto one child between the ages of 8-18, along with up to 2 support staff who will

Location: 52 EILEEN PLACE, TYNEWYDD, TREHERBERT, TREORCHY, CF42 5BU

Ystrad

24/0011/10 Decision Date: 08/02/2024

Proposal: Two storey rear extension

Location: 24 BRYN TERRACE, ARTHUR STREET, YSTRAD, PENTRE, CF41 7RX

Total Number of Delegated decisions is 32

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Report for Development Control Planning Committee

Trallwng

23/1254/10

Decision Date: 31/01/2024

Proposal: Two storey rear extension and raised decking

Location: 16 THE AVENUE, PONTYPRIDD, CF37 4DF

Reason: 1 The proposed decking, due to its elevated position and design, would constitute an unsympathetic development which would have an unacceptable effect on the character and appearance of the site and surrounding area. As such, the development fails to comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Reason: 2 The proposed decking, due to its elevated position, siting and design, would have a significant and unacceptable impact upon the amenity and privacy of neighbouring residential properties as a result of the direct and elevated views that would be created into the garden areas of both adjoining properties as well as the direct views created into the ground floor rear windows of those properties. As such, the development would conflict with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan

Ystrad

23/1439/15

Decision Date: 30/01/2024

Proposal: Removal of Condition 3 of planning permission 19/0680/10.

Location: OLD GLANDWR COURT HOTEL, YSTRAD ROAD, PENTRE, CF41 7PY

Reason: 1 Taking into account the circumstances of this case, no evidence has been provided to conclusively demonstrate the absence of barn owls in the building; therefore, it is considered that insufficient justification has been provided to warrant the removal of condition 3.

Accordingly, the development would not comply with Policy AW8 of the Rhondda Cynon Taf Local Development Plan and it is not considered acceptable to issue a new planning permission reflective of such a change.

Total Number of Delegated decisions is 2

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