



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 / Zoom** on **THURSDAY, 7TH NOVEMBER, 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, 5 NOVEMBER 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 26.09.24

To approve as an accurate record, the minutes of the meeting of the Planning and Development Committee held on 26.09.24.

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APPLICATIONS RECOMMENDED FOR APPROVAL BY THE DIRECTOR OF PROSPERITY & DEVELOPMENT

5. APPLICATION NO: 24/0489

Demolition of 2no. commercial buildings and replacement with 2no. purpose built commercial buildings, associated car parking and ancillary works (Amended Block Plan/Foul Drainage Arrangements)

**Leeway Carpets And Flooring 550-555 Llantrisant Road
Penycoedcae Pontypridd CF37 1PL**

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6. APPLICATION NO: 24/0760

Change of use to Class D1 (Dentist) (Amended red line boundary received 06/09/2024)

**The Glenrhedyn, Station Road, Ferndale. Rhondda Cynon Taf,
CF43 4NE**

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7. APPLICATION NO: 24/0793

Change of use from A2 (financial and professional) to use classes A1, A2, A3, B1 at basement and ground floor and apart-hotel on 1st, 2nd and 3rd floor to form 9no. units along with renovation works, minor external alterations, including 1no. new glazed panel and removal of

external staircase.

HSBC, 92A Taff Street, Pontypridd, CF37 4SR

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DEFERRED APPLICATIONS

8. APPLICATION NO: 24/0217

Two-storey side and first floor rear extensions, and enclosed balcony to front (amended description 04/09/2024)

8 Brook Place, Pentre, CF41 7DT

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INFORMATION REPORT

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

To inform Members of the following, for the period 14/10/2024 – 25/10/2024

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

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10. 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 W Owen, 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

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RHONDDA CYNON TAF COUNCIL Planning and Development Committee

Minutes of the hybrid meeting of the Planning and Development Committee held on Thursday, 26 September 2024 at 3.00 pm at Council Chamber, 2 Llys Cadwyn, Taff Street, Pontypridd, CF37 4TH.

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

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

Councillor S Rees (Chair)

Councillor W Owen Councillor D Grehan
Councillor L A Tomkinson

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

Councillor J Bonetto Councillor A Dennis
Councillor S Emanuel Councillor R Williams

Officers in attendance: -

Mr J Bailey, Head of Planning
Mr C Jones, Head of Major Development and Investment
Mr A Rees, Senior Highways Engineer
Ms L Coughlan, Legal Officer

93 WELCOME & APOLOGIES

Apologies for absence were received from County Borough Councillor W Lewis and J Smith.

94 DECLARATION OF INTEREST

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

95 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.

96 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.

97 MINUTES 18.07.24 & 15.08.24

The Legal Officer explained to Members that at the previous meeting on 12th September a query was raised by County Borough Councillor M Powell in relation to the minutes of the meeting of 18th July. Members were informed that following the meeting the recording was reviewed and the detail of the minutes is felt to be an accurate reflection of the resolution of the meeting. Therefore, it was **RESOLVED** to approve as an accurate record, the minutes of the meetings of the Planning and Development Committee held on the 18.07.24 and 15.08.24.

98 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.

99 APPLICATION NO: 24/0371

Conversion and change of use to ground floor convenience store and food takeaway with single residential first floor unit above FORMER COURT HOTEL, COURT STREET, TONYPANDY, CF40 2RF

In accordance with adopted procedures the Committee received Mr G Singh (Applicant) 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.

100 APPLICATION NO: 24/0055

Conversion of chapel into 6 no 2 bed apartments SARON CHAPEL, SARON STREET, TREForest, PONTYPRIDD

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.

(**Note:** During the debate on this item, County Borough Councillor L Tomkinson declared a personal interest in respect of this application. "I am a Pontypridd Town Councillor".)

101 APPLICATION NO: 24/0641

Change of use from dwelling house (Use Class C3) to residential care home (Use Class C2) for up to 4 children THE BIELD, NEW ROAD, YNYS-Y-BWL, PONTYPRIDD, CF37 3HA

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.

102 APPLICATION NO: 24/0681

Detached dwelling LAND ADJ TO 7 HIGHLAND PLACE, ABERDARE, CF44 7RA

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.

103 APPLICATION NO: 24/0767

Proposed Change of Use from A1 Shop to A3 Sports Bar. PREMIER SHOP, 9 - 10 STRYD YR ORSAF, PORTH RHONDDA CYNON TAF, CF39 9NR

The Head of Major Development and Investment outlined the contents of a 'late letter' submitted by Porth and District Chamber of Trade in support 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 subject to the amendment of Condition 4 to be in line with standard public house opening hours.

104 APPLICATION NO: 24/0831

Modular kiosk for commercial retail use (Classes A1 and A3) FORMER BINGO HALL SITE, SARDIS ROAD, PONTYPRIDD CF37 1QN

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.

105 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 02/09/2024-13/09/2024.

This meeting closed at 3:50pm

**Councillor S Rees
Chair.**

PLANNING & DEVELOPMENT COMMITTEE

07 NOVEMBER 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 24/0489/FUL (KL)
APPLICANT: Mr M Coleman
DEVELOPMENT: Demolition of 2no. commercial buildings and replacement with 2no. purpose built commercial buildings, associated car parking and ancillary works (Amended Block Plan/Foul Drainage Arrangements).
LOCATION: Leeway Carpets and Flooring, 550-555 Llantrisant Road, Penycoedcae, Pontypridd, CF37 1PL
DATE REGISTERED: 22 July 2024
ELECTORAL DIVISION: Graig And Pontypridd West

RECOMMENDATION: Approve, subject to conditions

REASONS: Whilst the application site is located outside settlement limits, the site has been in commercial (retail) use for a number of years. The proposed development would allow for an established local business (Broadway Van Centre Ltd) to relocate and expand, thereby increasing local economic activity in the area and although the overall use of the site would change from Use Class A1 to Sui Generis, the proposed use for the display and sale of campervans/vans is considered to be similar to that of an A1 use and, on balance, the principle of the proposed development is considered acceptable.

Furthermore, the proposed development would bring a vacant site back into beneficial use and would, in the main, improve the visual impact of the site and the surrounding area. The impact of the development upon the amenity and privacy of nearby residential properties is also considered acceptable, as is its impact on highway safety in the vicinity of the site.

Therefore, whilst the proposals are not entirely compliant with the Rhondda Cynon Taf Local Development Plan, given the balance of other material planning considerations and the planning history of the site, the proposals are considered acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the construction of 2no. purpose-built commercial buildings, associated car parking and ancillary works at Llantrisant Road, Penycoedcae, Pontypridd. The proposed new buildings would accommodate Broadway Van Centre, which is a local business (currently operating from 2no. sites on The Broadway in Treforest), specialising in the sale and supply of nearly new and used Volkswagen Transporters.

The proposed buildings would be constructed at the most eastern and south-western ends of the site with a series of car parking spaces being arranged on the remaining area to the front. A 2.4m metal mesh fence has already been erected around the front of the site with an electric gate providing vehicular access off Llantrisant Road (this element of the proposal is retrospective).

Building 1 (at the eastern end of the site) would measure 36m in width by 16m in depth (floor area of 576m²) with a shallow pitched roof design that would measure 5.7 metres in height to the ridge and 4.1m in height to the eaves. It would incorporate 4 no. roller shutter doors within the front elevation, 1 roller shutter (sectional) door within the south-western side elevation and a pedestrian access door within the rear elevation.

Building 2 would measure 27m in width by 18m in depth (floor area of 486m²) with a shallow pitched roof design that would measure 7.1m in height to the ridge and 5.2m in height to the eaves. It would incorporate 4no. roller shutter (sectional) doors and a separate pedestrian access door within the front elevation, along with a pedestrian access door to the south-eastern side elevation.

Externally, both buildings would be clad using PIR-D microgroove boards (mounted horizontally) in black and light grey, with PIR-D roof panelling in anthracite grey. The sectional and uPVC pedestrian access doors, and the windows in building 2, would also be anthracite grey.

The new buildings would provide for the display and sale of finished VW Transporters along with a workshop for the preparation of vehicles prior to their display and sale. Kitchen and toilet facilities would also be provided for members of staff as well as an administrative office. Details submitted with the application indicate that workshop activities will be limited to general maintenance works (vehicle preparation). No campervan conversions will be undertaken at the site.

The proposal would enable the business to expand and increase the number of employees from 5 to 7 full-time members of staff. No hours of opening have been provided.

In addition to the standard application forms and plans, the application is also supported by the following:

- Pre-application Consultation Report
- Design and Access Statement
- Construction Method Statement
- Highway Design Guide Standard Details – Drawing 110 (Footway and Carriageway Construction – Residential Streets)
- Highway Design Guide Standard Details - Drawing 111 (Vehicle Cross-over)
- Swept Path Analysis
- Permeability Test and Calculations
- Survey for Bats and Nesting Birds (November 2023)
- Green Infrastructure Statement

SITE APPRAISAL

The site relates to an irregular shaped parcel of land which is situated adjacent to Llantrisant Road in Penycoedcae. It measures approximately 0.3 hectares in area and is relatively flat in ground profile.

An existing (vacant) commercial unit lies towards the north-eastern end of the site, with this being set back from Llantrisant Road by a car parking area. A further unit previously stood at the south-western corner; however, that appears to have been recently demolished.

The front of the site has recently been enclosed by metal mesh fencing and an electric gate, which both measure 2.4m in height.

The surrounding area is rural in character; however, this section of Penycoedcae Road is characterised by a number of residential dwellings and commercial buildings. A commercial garage, workshop and Heatherwood Court (a hospital/secure hospital facility) lie to the north-eastern boundary of the site whilst a 2no. detached bungalows and a row of terraced dwellings (including a detached dwelling) lie to the south-west. A disused scrap yard lies to the rear (south-east) of the site.

The main village of Penycoedcae is located approximately 300m to the west and comprises a number of residential dwellings and a Public House. The main town of Pontypridd is located approximately 2km to the north-east.

PLANNING HISTORY

22/0326	Leeway Carpets and Flooring 550-555 Llantrisant Road, Penycoedcae	Variation of Condition 1 (Time Period) of Planning Permission ref. 17/0874	Decision Pending (S106 Agreement)
20/0158	Leeway Carpets and Flooring 550-555	Demolition of 2 No. existing commercial	Granted 01/11/21

	Llantrisant Road, Penycoedcae	buildings and replacement with a new purpose-built premises with a store/cutting room and retail showroom along with associated car parking and landscaping and ancillary works.	
17/0874	Leeway Carpets and Flooring 550-555 Llantrisant Road, Penycoedcae	Variation of condition 1 (Time Limit) and removal of condition 15 (Code for Sustainable Homes) of planning application 10/1084	Granted 27/04/18
10/1084	Leeway Carpets and Flooring 550-555 Llantrisant Road, Penycoedcae	Residential development	Granted 23/07/13
94/0437	Leeway Pine Centre, Llantrisant Road, Pen-Y- Coedcae, Pontypridd, CF37 1P	Variation of condition attached to permission 56/89/0017 (Change use from shop to residential) requiring implementation within 5 years.	Granted 01/08/94
92/0133	550 – 555 Llantrisant Road, Penycoedcae	Extension to existing carpet show room	Refused 19/05/92
91/0045	Shop adjacent Greenacre and Brecon View, Llantrisant Road, Penycoedcae	Side extension	Granted 08/03/91
89/0017	Shop adjacent Greenacre and Brecon View, Llantrisant Road, Penycoedcae	Change of use to residential	Granted 20/06/89
75/1463	Penycoedcae	Storage of Building Material	Refused 25/02/22

PUBLICITY

The application has been advertised by means of direct neighbour notification letters and through the erection of site notices at the entrance to and along Hazel Drive. A further notice has been published in a local newspaper.

No letters of representation have been received.

CONSULTATION

The following consultation responses have been received:

Dwr Cymru Welsh Water:

No objection, condition and advisory notes recommended.

Ecology:

No objection, condition recommended.

Fire Safety:

No objection, standard advice provided.

Flood Risk Management:

No objection, condition recommended.

Highways and Transportation:

No objection, conditions recommended.

Natural Resources Wales:

No objection.

Public Health and Protection:

No objection, conditions recommended (noise, dust, waste during construction).

South Wales Police:

No objection.

No other responses were received within the consultation 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.

Policy CS2 (Development in the South): sets out criteria for achieving sustainable growth which will be achieved by focusing development within defined settlement boundaries and by reducing daily out commuting by private car and promoting sustainable forms of transport.

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

Policy AW4 – Community Infrastructure and Planning Obligations: indicates when planning obligations may be sought in order to make the proposal acceptable in planning terms.

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 preserve and enhance RCT's distinctive natural heritage by protecting it from inappropriate development.

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 pollution and flooding.

Policy AW14 (Safeguarding of Materials): identifies that sandstone is to be safeguarded across the County Borough.

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking

National Guidance

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

Planning Policy Wales Edition 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 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 4 – Supporting Rural Communities
- Policy 5 – Supporting the Rural Economy
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retail and Commercial Development

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

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the Proposed Development

Policies CS2 and AW2 of the LDP both seek to direct development to areas that are situated in sustainable locations with Policy AW2 further defining sustainable locations as those which are situated within defined settlement boundaries, and which have good accessibility by a range of sustainable transport options and good access to key services and facilities.

In the case of this application, the site is located outside of and detached from the defined settlement boundary and the site is not well connected to the surrounding area. Whilst a bus service passes the site in both directions on Llantrisant Road, the nearest bus stops are located in the main settlement area of Penycoedcae, approximately 350m to the south-west of the site, and at the entrance to Burns Way, approximately 500m to the north-west. Neither of these bus stops are particularly accessible to the site as Llantrisant Road is not served by continuous footways which would result in anyone wishing to travel to the site by bus having to walk in the road for long distances. Furthermore, the town centre of Pontypridd is situated approximately 2km away to the north-east and the site does not have good access to key services and facilities. As such, the site cannot be considered to be located in a sustainable location and the proposal would therefore fail to comply with Policies CS2 and AW2.

Notwithstanding this, the commercial use of the site is long established with the former Leeway Carpets and W2 Construction (and ChemDry previously) having occupied the site for many years. Whilst the former W2 Construction unit has already been demolished, the use of the former Leeway Carpets unit could be re-instated and used by any use falling within the A1 Use Class without the need to apply for planning permission. This includes but is not limited to retail shops and warehouses, post offices, sandwich bars, hairdressers, showrooms (not including car sales/showrooms).

The proposed use of the site by Broadway Van Centre would result in the use of the site being changed from A1 to Sui Generis; however, it is considered that the general use of the site for the display and sale of finished Volkswagen Transporters would be similar to that of an A1 showroom, albeit with some degree of general maintenance and preparation of vehicles prior to their display and sale.

The site has been vacant since July 2022 (Leeway Carpets unit) and July 2023 (W2 Construction unit). As indicated above, the W2 Construction unit has already been demolished (fairly recently), however, the Leeway Carpets unit is still in situ and is currently not in the best condition, although it is not considered that it is completely beyond refurbishment and repair. The proposed development would inevitably see the demolition of the Leeway Carpets unit and the construction of 2no. purpose-built units which would ensure the re-use of the site, bringing it back into beneficial use and improving the overall visual appearance of the site and the surrounding area.

Planning Policy Wales Ed. 12 (PPW12) also indicates that previously developed land should, wherever possible, be used in preference to greenfield sites where it is suitable for development; however, it recognises that not all previously developed land is suitable for development (i.e. due to its unsustainable location). It further states that infilling or minor extensions to existing settlements may be acceptable where it can be demonstrated that the proposal will increase local economic activity.

As indicated above, the site has been vacant for over a year; however, it is understood that the previous use employed 12no. members of staff. Details submitted with the application indicate that the proposed units would be occupied by Broadway Van Centre Ltd, which is an existing local business that currently operates from 2 sites on The Broadway in Treforest. The business has been in operation for 18 years and details submitted with the application indicate that business has outgrown its current site. Furthermore, it is suggested that operating over 2 separate sites affects the effective operation of the business. The proposal would therefore enable an existing local business to re-locate and expand, increasing the number of people employed by the business from 5 to 7 in the first instance with potential for further employment opportunities to be generated in the future. Whilst the number of people employed at the site are currently lower than that of the previous business, it would enable the growth of a long-standing local business and enable it to stay within RCT. It is therefore considered that the proposal would increase local economic activity in the area.

A review of the planning history of the site also reveals that an extant planning permission exists for the construction of 1no. purpose-built retail (A1) unit at the site (Planning Ref. 20/0158). That permission permitted a purpose-built building for the Leeway Carpets business. Prior to this, planning permission was granted for the construction of 6 no. residential dwellings at the site (Planning Ref. 17/874). That permission expired in April 2023 and whilst a further application was made to extend the time period for that development to be commenced (Planning Ref. 22/0326), which Members may recall that they resolved to approve that application subject to a S106 Agreement to secure 1no. affordable housing unit, the S106 Agreement has not been completed and, as such, planning permission has not yet been formally issued. It must be noted that the land has changed ownership since the determination of those applications and, as such, it is unlikely that the S106 Agreement will be completed.

Taking the above into consideration, whilst it is accepted that the site is located outside settlement limits, the commercial use of the site is long established with the use of the site historically being in A1 use. The proposed use of the site for a Sui Generis use which would have similar characteristics to an A1 use and given that the proposal would increase local economic activity in the area and the recent history of the site, on balance, the principle of the proposed development is considered acceptable.

Character and Appearance

The proposal would result in the construction of 2no. large commercial units at the site and there is no doubt that the development would form a prominent addition to the site and would significantly alter its current appearance.

However, the site currently appears rundown and unkempt and is in need of significant investment. It is therefore considered that the proposed development, through the demolition of the existing units and construction of the 2 new units, would result in a development that would considerably improve the existing character and appearance of the site, which is highly visible from Llantrisant Road.

Whilst the immediate area is typically traditional in character, the scale and design of the proposed units are dictated somewhat by their intended use. The proposed units are therefore more modern in their design with large sectional doors to their front elevations. There is some concern that the development would not be in-keeping the surrounding area; however, the layout of the site would be similar to that of the existing with the units being positioned in the same locations as the existing and previous units. The units would be orientated to address the highway with the design and finish being typical of similar commercial developments.

The layout of the site would also allow for sufficient parking areas, refuse areas and for highway improvements to be made without resulting in overdevelopment of the plot. Whilst very little to no landscaping would be provided to the front of the site, primarily due to it forming a sales/car parking area, this is compensated by the provision of a 'green corridor' along the rear boundary. This would incorporate a wildflower meadow habitat and tree planting, which would aid integration with the open countryside to the south-east.

In terms of the overall scale and design of the proposed units, they would both be larger than the existing/previous units and there is some concern in this regard, particularly given that building 2 which is the tallest of the two buildings (7m in height to the ridge) would be sited closer to Llantrisant Road where it would have the greatest visual impact. However, both units would be set back into the site and would not breach the existing building line of 'Brecon View' to the south-west or the commercial garage to the north-east and, on balance, it is considered that the overall development would improve the overall visual appearance of the site.

As such, whilst there are some concerns in this regard, it is not considered that the proposed development would have such an adverse impact upon the character and appearance of the surrounding area that it would warrant the refusal of the application.

Residential Amenity and Privacy

The proposed development would result in a more substantial structure at the south-western end of the site than what existed previously. However, taking into account that a separation distance of at least 15 and 20 metres would be maintained between building 2 and Brecon View to the south-west and Greenacres to the south respectively, and the

shallow pitch design of the proposed roof with an eaves height of 5.2m, it is not considered that the development would result in an adverse overbearing or overshadowing impact upon those properties. Furthermore, given the nature of the proposed development, it is not considered that the development would result in any adverse levels of overlooking.

The commercial garage to the north-east of the site is also unlikely to be affected by the proposed development.

Notwithstanding this, it is considered that there is potential for the development to result in some degree of noise and disturbance as a result of its operation. Whilst nearby residential properties will have become accustomed to some noise and disturbance as a result of the previous retail use, there is further potential for the general maintenance works associated with the preparation of vehicles for display/sale to have an increased impact. Given that the buildings are intended for such purposes, it is considered that vast majority of noise generated as a result of these activities would be contained within the proposed units. Whilst there would still be some potential for noise and disturbance as a result of the coming and goings of customers/staff, it is considered unlikely that this would be greater than the previous A1 use; however, in order to ensure that the proposed use of the site would not result in adverse levels of noise, it is considered necessary to impose a condition to restrict the hours of operation to the following (as per the previous consent):

- Monday to Friday 07:30 – 18:00
- Saturday 08:00 – 17:30
- Sundays and Bank Holidays 10:00 – 16:30

Taking the above into account and the fact that no objections have been received from local residents, the application is considered acceptable in this regard.

Access and Highway Safety

The application has been assessed by the Council's Highways and Transportation Officer and no objection is raised to the proposal (subject to conditions). The comments received are summarised as follows:

Access

The application site is served off Llantrisant Road which is a classified road linking A4058 and Pontypridd to the north with A4119 and Royal Glamorgan Hospital and Llantrisant Business Park to the south. It has an average two-way daily traffic flow of 5824 vehicles.

Llantrisant Road in the vicinity of the proposed development has a carriageway width of 5.9m and a speed limit of 30mph. There are no footways or cycleways for a considerable distance to link the site to the local footway and cycleway network, resulting in the site location being non-compliant with PPW12 and Active Travel, which gives cause for concern.

The applicant has proposed setting the site boundary back for the provision of a 2.0m wide footway along the frontage of the site, which is acceptable. Construction details of the proposed works to the footway have been provided which are also considered acceptable.

Vision Splays

Llantrisant Road is subject to a 30mph speed limit in the vicinity of the site. In accordance with TAN18: Transport, the junctions between the access to the proposed development and Llantrisant Road have vision splay requirements of 2.4 x 40m.

The site plan indicates vision splays of 2.4m x 40m, which accord with TAN18 and are therefore acceptable.

Parking

The proposal provides for the following off-street car parking provision:

- 5 car parking spaces allocated to staff.
- Up to 11no. car parking spaces available for customer parking.
- 1no. commercial vehicle parking space
- 3no. cycle parking spaces.

Details submitted with the application indicate that 10% of car parking spaces (2 spaces) would have EV charging facilities. Further, no car transporters are used at the existing facility, and none are proposed at this site with vans being individually sourced and delivered to customers with 50% of sales being made online.

Taking the above into consideration, the off-street car parking/commercial parking provided is considered acceptable.

Swept Path Analysis

Swept path analysis has been undertaken for a 10.0m rigid vehicle to ensure that the proposed layout design allows for service and delivery vehicles to access and turn within the site to exist in forward gear, which is acceptable.

Construction Method Statement

The Construction Method Statement submitted is acceptable for the proposed development.

Other Issues:

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

Land Drainage

Surface Water Drainage

The Council's Flood Risk Management Officer notes that the development would have a floor area of over 100m², and as such, it is advised that under Schedule 3 of the Flood and Water Management Act 2010, a separate application for Sustainable Drainage Approval will be required to be made to the Sustainable Drainage Systems (SuDs) Approval Body (SAB). It is further advised that the applicant will be required to comply with Part H of the Building Regulations.

Details submitted with the application indicate that surface water will be disposed of via a sustainable drainage system; the Flood Risk Management Officer considers that further information is required to demonstrate compliance with the requirements of Section 8.3 of Technical Advice Note 15: Development and Flood Risk (TAN15). As such, a condition is recommended in this regard.

Dwr Cymru Welsh Water further advise that surface water drainage should be drained via a sustainable drainage system as it will not be permitted into the public sewerage network. As such, a condition is recommended to prevent surface water and/or land drainage from connecting direct or indirectly to the public sewerage network; however, as the proposal would be subject to separate SuDs approval, the conditions recommended by the Flood Risk Management Officer and Dwr Cymru Welsh Water are not considered necessary.

Foul Drainage

Dwr Cymru Welsh Water has not raised any objection to the principle of the foul flows discharging to the public sewerage system.

Ecology

The application is supported by an Ecology Report which includes a bat and nesting bird building inspection. The report concludes that for reasons of building condition, the bat roost potential is very low; however, there is some nesting bird use. The Council's Ecologist has reviewed the report and considers that it is reasonable to equate the conclusion of very low bat potential to that of negligible bat roost potential and, as such, the proposal does not trigger a requirement for bat emergence/return surveys. It is noted that this conclusion is supported by an earlier assessment of the buildings from 2020, which concluded negligible bat roost potential.

As such, the Council's Ecologist does not raise any objection to the proposal; however, a condition is recommended for details of precautionary bat mitigation, nesting bird

mitigation and enhancement and green infrastructure measures, outlined in Section 4 of the report.

Archaeology

Whilst no consultation response has been received from Heneb (GGAT), it is noted that the previous application (20/0158) was subject to a condition for a written scheme of historic environment mitigation to be submitted. The comments received from GGAT during the course of that application indicated that the application area is approximately 90m to the west of Scheduled Monument, Pen-Y-Coedcae Roman Camp (Cadw Ref. GM267). Given that Roman remains have been encountered during previous archaeological work undertaken in the area, there is a high potential for archaeological remains and features, especially associated with the Roman marching camp, to be revealed during the proposed groundworks. As such, the condition is considered relevant and necessary for this application.

Public Health & Protection

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

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

Whilst the application site is located outside settlement limits, the site has been in commercial (retail) use for a number of years. The proposed development would allow for an established local business (Broadway Van Centre Ltd) to relocate and expand, thereby increasing local economic activity in the area and although the overall use of the site would change from Use Class A1 to Sui Generis, the proposed use for the display and sale of campervans/vans is considered to be similar to that of an A1 use. In balance, the principle of the proposed development is considered acceptable.

Furthermore, the proposed development would bring a vacant site back into beneficial use and would, in the main, improve the visual impact of the site and the surrounding

area. The impact of the development upon the amenity and privacy of nearby residential properties is also considered acceptable, as is its impact on highway safety in the vicinity of the site.

Therefore, whilst the proposals are not entirely compliant with the Rhondda Cynon Taf Local Development Plan, given the balance of other material planning considerations and the planning history of the site, the proposals are considered acceptable.

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 by the Local Planning Authority on 14 May and 9 September 2024 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Site Location Plan
- Drawing No. BP1A: Block Plan
- Drawing No. 1: Proposed Floor Plan – Building 1
- Drawing No. 2: Proposed Floor Plan – Building 2
- Drawing No. 3: Proposed Elevations – Building 1
- Drawing No. 4: Proposed Elevations – Building 2
- Drawing No. 110: Highway Design Guide Standard Details: Footway and Carriageway Construction (Residential Streets)
- Drawing No. 111: Highway Design Guide Standard Details: Vehicular Crossover (Residential Streets).

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

- 3 Before the development is brought into use the means of access, together with the vision splays, parking and turning facilities, shall be laid out in accordance with the submitted plan BP1A and approved by the Local Planning Authority. The car parking spaces shall be surfaced in permanent material and remain for off-street car parking in association with the proposed thereafter.

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

- 4 The approved Construction Method Statement shall be implemented on site and remain in operation throughout the construction phase unless agreed in writing by the Local Planning Authority.

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

- 5 Prior to the commencement of development, full details of all precautionary, mitigation and enhancement, and green infrastructure measures referred to in Section 4 of Ecology Report (by DCE, dated November 2023) shall be submitted to and agreed 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.

- 6 No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping 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.

- 7 All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or 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, unless the Local Planning Authority gives written consent to any variation.

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

- 8 No development shall commence until a written scheme of historic environment mitigation has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the programme of work shall be carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological

resource in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

9 The public opening hours for the business hereby approved shall be as follows:

- Monday to Friday 07:30 to 18:00 hours
- Saturday 08:00 to 17:30 hours
- Sundays and Bank Holidays: 10:00 to 16:30 hours

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

10 Building operations shall not be commenced until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings hereby permitted has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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PLANNING & DEVELOPMENT COMMITTEE

07 NOVEMBER 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 24/0760/FUL (AM)
APPLICANT: Mr Paul John Jones
DEVELOPMENT: Change of use to Class D1 (Dentist) (Amended red line boundary received 06/09/2024).
LOCATION: The Glenrhedyn, Station Road, Ferndale, CF43 4NE
DATE REGISTERED: 6 September 2024
ELECTORAL DIVISION: Ferndale And Maerdy

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

REASON: While the loss of a bar, lounge and restaurant is regrettable, the use as a dental practice would provide a much needed and beneficial facility for all residents of the community. Consequently, the principle of the proposed change of use is considered acceptable in this instance.

It is not considered that the proposal would have any undue impact upon the character and appearance of the surrounding area, the residential amenities and privacy of surrounding residents, or upon highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for the change of use of The Glenrhedyn (bar, lounge and restaurant – Class A3) to a dentist (Class D1).

The proposed change of use would be facilitated through internal alterations only. The ground floor level would contain 5 surgery rooms, a waiting / reception area, toilets, staff facilities and storage rooms. The first floor level would contain 2 surgery rooms, a training and conference room and further staff facilities. It is indicated that the business would employ 24 full time staff. The following opening hours are proposed:

- Monday – Friday: 07:00 to 20:00

- Weekends and Bank Holidays: Closed

SITE APPRAISAL

The application property forms a large, two storey building currently in use as a bar, lounge and restaurant. It is located within the defined settlement boundary for Ferndale, but the site is somewhat isolated from the main area of the village, located east of the main settlement on the highway between Ferndale and Blaenllechau.

The applicant has advised that the existing facility is open Wednesday to Sunday, midday to 10:30pm, but until midnight on Fridays and until 00:30 on Saturdays, employing three people during these times.

The site is accessed directly from Station Road which passes to the front (east). To the east of the site is a public footpath and the wooded embankment of the Rhondda Fach River. On the opposite side of the river is the terraced residential street, Taff Street. A very steep embankment protects the western boundary of the site. A stepped footpath, which rises to the south of the existing building, enables access to the residential streets to the west of the site. A bus stop is located directly to the front of the site.

PLANNING HISTORY

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

09/1228/10	Demolition of the Salisbury Hotel to be replaced with new community centre housing Ferndale RFC facilities, bar lounge, restaurant, Rhondda Rugby Museum, exhibition space, gym, community offices, meeting rooms, and 20-bed hotel.	Grant	01/03/2010
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PUBLICITY

The application has been advertised by direct notification and notices displayed in the vicinity of the site. 66 letters of objection have been received, which have been summarised below. It is noted however that 31 of the objection letters are identical and appear to have been generated using AI (although this cannot be confirmed).

Community and Social Impact

- The establishment is crucial to the community it serves.
- Its closure would be devastating to the community.
- Serves as a vital social facility.

- Losing the pub would eliminate the economic benefits it brings and negatively impact the spirit of the community.
- The pub is the only place capable of hosting events in the area.
- It is the last family pub in the area.
- Its closure could lead to loneliness for vulnerable, older residents.
- The proposed closure would eliminate the only refreshment stop, especially with the construction of the new public footpath nearby.
- People are being discriminated against, not everyone can drive or has access to a vehicle. Infrequent public transport and mobility issues would make it difficult for some community members to go elsewhere.
- If changes continue, there will be nothing left in Ferndale.

Planning and Policy Considerations

- The proposal does not accord with PPW 12, paragraphs 2.1 to 2.4.
- The closure would negatively impact the village and surrounding area.
- It would reduce the availability of social amenities.

Economic and Infrastructure Concerns

- The building was refurbished using taxpayers' money.
- The Glenrhedyn had £1.2m of public money invested into it and was sold for only £300,000.
- It was supposed to be part of the Rhondda Life Project, but the project failed due to lack of funding.
- There are many other buildings in the locality that could be used as a dental practice.

Other matters

- Refuse the proposal while a group is established to purchase the facility.

CONSULTATION

Local Highway Authority

No objections.

Public Health and Protection

No objections.

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 Ferndale but is allocated for any specific use.

Policy CS1 - sets out the strategy for development in the Northern Strategy Area.

Policy AW2 - supports 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 placemaking, including landscaping.

Policy AW10 - supports development proposals which are not detrimental to public health or the environment.

Policy NSA2 - outlines the requirements of development proposals within the Key Settlements.

Supplementary Planning Guidance:

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) was issued on 07 February 2024. It incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the Welsh Government's (WG) current policy position 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, although it should form the basis of all decisions.

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
- Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 33 – National Growth Areas – Cardiff, Newport and the Valleys

Other relevant national policy guidance considered:

- PPW Technical Advice Note 4: Retail and Commercial Development
- 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

A considerable amount of objection has been received to the loss of the existing facility, and the loss of such a community facility would undoubtedly be regrettable. The applicant has however advised that the current facility operates very limited hours (Monday & Tuesday – Closed, Wednesday & Thursday – 12pm-10:30pm, Friday – 12pm-12am, Saturday – 12pm-12:30pm and Sunday – 12pm-9:30pm) and, whilst previously used by Ferndale RFC, the rugby club now uses alternative premises, and the facility is subsequently operating at a loss. The current owner therefore wishes to sell the property and advises that the proposed dental surgery is the only realistic option.

The application site is located within the defined settlement boundary for Ferndale where local and national planning policy presume in favour of new development. However, it is not allocated for any specific use, being outside of the town's defined retail centre, and therefore LDP Policy AW11 and the requirement for evidence of marketing do not apply. That said, PPW acknowledges the potential impact of losing any retail site, particularly regarding its effect on the local community and the availability of similar services nearby.

The proposal involves converting an existing building, currently operating as a bar, lounge and restaurant, into a dental practice. It is noted that the facility is not a traditional public house. The applicant has indicated that their existing dental surgery, located within another area of Ferndale, can no longer accommodate the local demand; and that the change of use aims to address this by providing a considerably larger facility within the town. It is also worth noting that while The Glenrhedyn currently employs 3 staff members, the proposed dental practice would create 24 full-time equivalent jobs.

Ferndale is designated as a Key Settlement under Policy NSA2. The proposed development would offer a critical service for the town and would integrate well with the existing surrounding development. This would strengthen Ferndale's role as a Key Settlement and would address the well-documented demand for additional NHS dental capacity in a national, regional and local context. Therefore, the proposal aligns with Policy NSA2.

Furthermore, PPW emphasises the importance of providing access to jobs and a range of community facilities, including health services, for residents of both existing and new communities.

Members are also advised that in considering the benefits a new dental practice would provide over a bar and restaurant, an Inspector ruled that a restaurant is not considered a 'community facility', as identified in appeal decision Ref. APP/P3040/W/17/3186110. This decision is comparable to the proposed conversion of The Glenrhedyn. The inspector commented on the Council's definition of a community facility, stating: "*Certain uses and venues are important for local communities to meet, socialise, and interact. Although restaurants provide opportunities to meet and socialise, they do not fulfil this function as a public house may, as they tend to be arranged in a formal manner. Restaurants also do not provide access to services or facilities required for day-to-day living.*"

It is also noted that there are several other public houses within Ferndale which provide a similar service to that which would be lost (the Ferndale Working Mens Club, Ferndale Labour Club, Conservative Club, and Ferndale Band Club). These are all within 1km of the application site and are all located more centrally within Ferndale than this site. There are also several takeaways within the town. This wide range of other facilities in the town

will ensure that residents can meet many of their day-to-day needs despite the loss of this particular facility.

It is clear therefore that there are alternative premises locally and that the Glenrhedyn does not constitute a unique facility, nor does it serve a critical role as a meeting place for village residents and the surrounding areas.

In conclusion, while the concerns of residents are acknowledged and loss of the community facility is regrettable, the proposed change of use would provide a much needed facility that would benefit all residents of the town not just the few that frequent the failing bar, lounge and restaurant. Further, it is not considered the loss of the existing facility would result in a significant impact to the social cohesion of the community.

The application is therefore considered acceptable in principle, subject to the assessment of further material planning considerations set out below.

Impact on the character and appearance of the area

The proposed conversion seeks to utilise the existing fabric of the building with no external alterations or increase in the footprint or scale of the building proposed. All external elevations would remain unaltered with the existing pattern of fenestration being retained. Therefore, the proposed change of use would have no impact upon the character and appearance of the site.

Impact on residential amenity and privacy

The application property is located in an isolated area approximately 40 metres from the nearest residential dwellings. Due to this separation distance, and with no physical alterations taking place, it is not considered the use of the building as a dental practice would cause any disturbance to the closest neighbouring properties.

Consequently, it is not considered that the proposal would have any adverse impact on the amenity of surrounding properties and the proposal would therefore comply with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

Access and Highway Safety

The application has been subject to consultation with the Local Highway Authority with a view to assessing the impact of the proposal on highway safety, access and parking.

Highways and Transportation commented that the proposed change of use to a dental practice would have a parking requirement of up to 34 spaces, with the site having an existing car park that can cater for the parking requirement.

In terms of public transport, while it is likely that a significant proportion of the visits would be reliant on the private vehicle, the site is within walking distance of Ferndale and Blaenllechau with a number of footways and walking routes. Furthermore, a bus stop is located directly outside of the site with regular services each day.

The proposal is therefore considered acceptable in terms of highway safety and access, compliant with Policy AW5 of the LDP in these respects.

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

While the loss of the bar and restaurant is regrettable, the use as dental practice would provide a much needed and beneficial facility for all residents. Consequently, the principle of the proposed change of use is considered acceptable in this instance.

Furthermore, it is not considered that the proposal would have any undue impact upon the character and appearance of the surrounding area, the residential amenity and privacy of surrounding residential properties, or upon highway safety in the vicinity of the site.

RECOMMENDATION: APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:

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

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

- 2 The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 23/07/2024, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.
 - Proposed ground floor plan
 - Proposed first floor plan
 - Proposed second floor plan

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

07 NOVEMBER 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 24/0793/FUL (GD)
APPLICANT: Mr Douglas Haig
DEVELOPMENT: Change of use from A2 (financial and professional) to use classes A2, A3, B1 at basement and ground floor and apart-hotel on 1st, 2nd and 3rd floor to form 9no. units along with renovation works, minor external alterations, including 1no. new glazed panel and removal of external staircase..
LOCATION: HSBC, 92A Taff Street, Pontypridd, CF37 4SR
DATE REGISTERED: 5 August 2024
ELECTORAL DIVISION: Pontypridd Town

RECOMMENDATION: Approve

REASONS: The principle of the proposed development is compliant with key planning policy requirements at the local and national level and is otherwise acceptable in terms of relevant material planning considerations. Moreover, the proposals also offer the opportunity to bring an unused building which is starting to show signs of decay back into beneficial use at the heart of the town centre bringing with it a positive impact on the vitality and viability of the town centre.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

This application seeks full planning permission for the conversion of the former HSBC Bank in Taff Street Pontypridd to any potential A2 or A3 use or alternatively a B1 type use in its basement and ground floor along with the conversion of floors 1 to 3 to 9no.residential units comprising 5no one-bedroom units and 4 no. studio flat units.

Externally the proposals involve very little change to the fabric of the building other than the removal of an external staircase from the rear of the building and the creation of a new aluminium glazed entrance and side screens on the ground floor side elevation of

the property. The proposals otherwise make use of the buildings existing windows and doors.

Internally the building would experience the following changes.

- Basement – rationalisation of internal walls and layout to provide toilet facilities.
- Ground floor – rationalisation of internal walls to provide the creation of back of house facilities along with a discreet entrance and reception area for the residential accommodation.

Members should note that whilst the description of development for this element of the proposed development proposes flexibility in the type of uses to be made available there is no specific designation within any use category.

- First floor – internal reconfiguration to provide 1 no. one bedroom flat and 2 no. studios
- Second floor – internal reconfiguration to provide 2 no. one bedroom flats and 1 no. studio
- Third floor – internal reconfiguration to provide 2 no. one bedroom flats and 1 no. studio

An existing internal stairwell on the enclosed northern side of the building will be retained albeit in a reconfigured formation.

SITE APPRAISAL

Originally built as the Butchers Arms Hotel, the application site is comprised entirely within the building that was until recently the HSBC bank towards the southern end of Taff Street opposite the junction with Mill Street and immediately north of the unnamed lane access to Ynysangharad War Memorial Park. The building itself is a substantial four storey building occupying a corner plot, though it benefits from a distinctive front façade, it is not a listed building, but does contribute positively to the Pontypridd Town Centre Conservation Area.

PLANNING HISTORY

Prior to becoming a bank, this building functioned as a public house. The site has an extensive planning history associated with its banking function mainly concerning advertisement rebranding and incremental improvements to the property such as the introduction of ATM's. The following are only the most recent application.

16/0219	HSBC Taff Street, Pontypridd	Replacement of existing external ATM to create efficient wheelchair access &	Approved	21 st April 2016
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16/0223	HSBC, Taff Street, Pontypridd	replacement of surrounding glazing. Replacement of the existing external signage to comply with current brand standards.	Approved	21 st April 2016
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PUBLICITY

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

CONSULTATION

Highways – raise no objections and suggest no conditions

Flood Risk Management – Raise no objections to the proposed development and identify the presence of a culverted watercourse to the south of the application property, they advise that any works that might affect the culvert will also require the benefit of ordinary watercourse consent.

Public Health & Protection – raise no objections subject to conditions

Natural Resources Wales – raise no objections to the proposal but offer advice in respect of flood risk, the prevention of pollution and the disposal of waste.

Dwr Cymru Welsh Water – raise no objection and suggest a condition preventing any increase in surface water drainage requirements from draining to the public sewer

Western Power Distribution – raise no objections

Wales & West Utilities – there is no gas infrastructure in the vicinity of the site

South Wales Fire & Rescue Service – raise no objections and offer their standard advice requiring adequate water supplies for firefighting purposes and appropriate access for firefighting appliances.

Countryside – raise no objections and suggest that a bat informative note be attached to any consent that might be issued.

Heneb – as archaeological advisors to your Members, we have no objections to the positive determination of this application. The archaeological record is not definitive and unknown features may be disturbed during the course of the work in this event Heneb should be contacted.

Housing Strategy – no objections

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

Policy CS5 - sets an expectation for the provision of affordable housing.

Policy AW1 – sets a target for the provision of new housing including amongst other things, through the conversion of suitable existing buildings.

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

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

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

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy SSA1 – offers support for proposals that reinforce the role of Pontypridd as a principal town.

Policy SSA12 – advocates the provision of 20% affordable housing.

Policy SSA17 – promotes retail development and improvements within principal towns in the southern strategy area

Supplementary Planning Guidance

The Historic Built Environment

Design in Town Centres

Affordable Housing

Access Circulation and Parking

Shopfront Design

Development of Flats

National Guidance

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

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

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

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

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes. Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;

PPW Technical Advice Note 4: Retailing and Town Centres;

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
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, the application relates to a property that lies within defined settlement limits and is located within the retail centre of Pontypridd and the Town Centre Conservation Area. As such, the key determinants in the case are considered to be the principle of the proposed development, the impact of the proposal on the character and appearance of the area, the impacts on amenity, access and highway safety and flooding. These issues are addressed in turn below

Principle of the proposed development

The nature and location of the proposed development is such that it is affected by a number of layers of planning policy that relate principally to retailing, town centre vitality and conservation. In this particular case, the proposed arrangements are such that they satisfy the requirements of planning policy. An active street front retailing/business presence is retained in a prominent and important part of Taff Street, which will also make use of the basement of the property. The building will be renovated in an acceptable manner with only minor alterations to the side and rear elevations offering an overall improvement to the building in a manner that respects its position within the town centre conservation area. The introduction of apart-hotel units on to the upper floors will strengthen the round the clock presence within the town centre adding to its vibrancy and vitality. The result of the proposed changes in planning policy terms is that key areas are satisfied by the current proposals.

Impact on the character and appearance of the area

The application property is a substantial and visually prominent building located on the eastern side of Taff Street opposite its junction with Mill Street and immediately adjacent to one of the access points to Ynysangharad War Memorial Park. The building sits within the town centre conservation area and is now vacant following the closure of the local HSBC bank that formerly occupied the building.

The submitted plans illustrate that the works to take place do so within the building itself or as renovation to the building envelope – the obvious exception being the creation of the new access for the residential accommodation. Alterations to the Taff Street frontage are minimal and in most cases amount to little more than repairs.

There is little doubt that since the building was last used it presents a negative impression of the wider area. The current proposals take a balanced restorative approach towards bringing the building back up to a standard that reflects the aspirations of Pontypridd as a retail centre and respects the conservation area in the manner that reflects the traditional character and appearance of the building and wider locality.

Consequently, the proposed development is considered to make a positive contribution to the character and appearance of the locality and are considered compliant with the requirements of Local Development Plan policies AW5, AW6 and SSA 1 insofar as they relate to this issue.

Impact on residential amenity and privacy

As specified earlier the proposal relates to the refurbishment of the property with the Taff Street level remaining in commercial use with apart-hotel flats created on the three floors above. The site is located within the shopping centre of Pontypridd and upper floors to adjacent buildings on Taff Street have already been successfully converted and occupied for residential purposes. The potential consequence of allowing such an arrangement is that habitable rooms could have facing windows at a distance of as little as 11 metres apart. However, this is considered acceptable on the basis that this is a town centre where in practice lower levels of privacy for residential units should be expected and in some cases have been established. In any event, the distances involved are similar to the arrangements in many of the residential streets around the town centre. Elsewhere full use is made of existing windows none of which facilitates a level of overlooking that would generate any concern with suitable distances established at the front and side and the rear overlooking the park beyond the river.

In light of the fact that the current proposal does not involve the building of any new extensions it is considered that there would be no additional impact beyond that which currently exists in the issues of overshadowing or loss of light.

Given the above, the proposals are considered satisfactory in the context of their impact on any residential property around the application site and therefore compliant with the requirements of Local Development Plan policies AW5 and AW6 insofar as they relate to this issue

Access and highway safety

Location

The property is served off Taff Street that is located within the sustainable location of Pontypridd Town Centre that provides good public transport links, local amenities and public car parks.

Taff Street is a pedestrianised road with restricted vehicular access Mon – Sat 11am – 3pm.

Access

The existing provides pedestrian access via Taff Street with a secondary staff access to the side of the property.

The applicant proposes primary means of access to the ground floor commercial unit via the existing means of access off Taff Street with access to the proposed hotel use to the side of the property.

The unnamed road to the side of the property has double yellow lines and a narrow footway and provides vehicular access to rear service area and the former Marks and Spencer's service area and is utilised as a shared surface link to Ynysangharad Park. Therefore, the lane is considered to provide satisfactory means of pedestrian access to the hotel element of the development acceptable.

Parking

The existing use has a parking requirement of 1 space per 25-35m² in accordance with SPG: Access, Circulation & Parking Requirements (March 2011) within parking zone 1. Therefore, the existing has a total requirement of 29 spaces with none provided.

The proposed change of use to the ground floor and basement is proposed to change to A2, A3, B1 which have a parking requirement as follows within parking zone 1:

Use Classes	Operational	Non-operational
A2	NA	1 space per 25-35m ²
A3	In Zones 1 & 2 applicants will need to demonstrate that servicing can be accommodated without unduly affecting highway safety and the free flow of traffic.	Nil
B1	NA	1 space per 25-35m ²

In light of the above requirements the proposed ground floor and basement would have a maximum requirement of 8 spaces.

The proposed first, second and third floors change of use to a hotel within parking zones 1 and 2 must demonstrate that servicing can be accommodated without unduly affecting highway safety and the free flow of traffic.

Taking into consideration that the proposed will considerably reduce the parking requirement of the property, the applicant proposes secure cycle storage as part of the proposed hotel use promoting sustainable modes of transport and given the sustainable location of the proposed with good public transport links, local amenities and public car parks within the established town centre the absence of parking is considered acceptable. Servicing of the retail and hotel accommodation will need to be undertaken outside the restricted period for vehicles in a similar manner to other town centre retail units and hotels, therefore, the proposal is considered acceptable

Flooding

The application is not accompanied by a Flood Consequences Assessment.

The application property occupies a site approximately 10m west of the River Taff. The property lies within zones C1 of the Natural Resources Wales flood advice maps.

Natural resources Wales advise that the site benefits from flood defences and that access/egress to the property could be affected if the defences are overtopped. However, given that only the upper floors would form residential accommodation, and with no increase in the overall footprint of the building it would be considered unreasonable to withhold consent on this basis.

In light of the above, the proposal is considered to comply with policies AW2 and AW10 of the Rhondda Cynon Taf Local Development Plan insofar as they relate to the issue of flooding.

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.

Public Health & Protection have suggested a series of conditions relating to hours of operation and dust and noise controls. These matters are more readily addressed under other legislation rather than the application of planning conditions and are not included in the list of recommended conditions below. They note that the proposals if allowed would have potential for food preparation and advise that details of extraction systems and any associated noise reports should be the subject of further consideration. This is an issue that can be dealt with by an advisory note on any planning permission that might be issued.

Issues relating to site drainage and in particular the culverted watercourse referenced by Flood Risk Management should be the subject of an advisory note added to any planning permission that might be granted. The condition suggested by Dwr Cymru Welsh Water is not necessary as there can be no increase in roof or impermeable surface area associated with the development.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the type of development proposed. Moreover, the proposals are considered acceptable in terms of all other relevant material planning considerations. The application offers the opportunity to refurbish and bring back into use a substantial building at a key location in the middle of Pontypridd, Adjacent to the access to the park and a positive recommendation is made.

RECOMMENDATION: Approve

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

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

- 2 Building operations shall not be commenced until samples of any new external finish material proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2024-2025:

**PLANNING AND
DEVELOPMENT COMMITTEE
7th NOVEMBER 2024**

**REPORT OF: DIRECTOR
PROSPERITY AND
DEVELOPMENT**

Agenda Item No.

APPLICATION NO:24/0217/10

Two-storey side and first floor rear extensions, and enclosed balcony to front (amended description 04/09/2024).

8 Brook Place, Pentre, CF41 7DT

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

The application was originally reported to the Planning and Development Committee meeting of 10th October 2024. A copy of the original report is attached below as Appendix A.

Members resolved to approve the application, contrary to the recommendation of the Director of Prosperity and Development, as they did not consider the balcony element of the proposed development would result in a detrimental impact to the character and appearance of the host property or the surrounding scene; or upon the amenities of the surrounding neighbours.

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

4. PLANNING ASSESSMENT

The officer considerations in respect of the proposal's visual impact and its potential impact upon the amenities of the surrounding properties are

outlined in the original Committee report, however, a brief summary is provided below:

The scheme relates to an extension and front elevation stilted balcony to an end terraced dwelling currently in a poor state of repair.

Regarding residential amenity, following development the balcony would form the dwelling's sole amenity space. The balcony would have uninterrupted views of the garden areas opposite and would allow views back towards the front elevations of the adjacent properties. It is however noted that there is an existing level of overlooking within the vicinity and that it could be argued that the balcony would not have a greater degree of overlooking impact compared to the levels that already exist.

With regards visual amenity, the proposed extension aspect of the proposed development is consistent with the wider street-scene and is considered acceptable. However, due to the scale, elevated height and highly prominent position to the front of a terraced property, it is considered the proposed stilted balcony would form an incongruous and alien design feature within the street-scene that would dominate the facade of dwelling, resulting in a significant detrimental visual impact. It is also noted that there are no comparable design features within the vicinity, adding the incongruous nature of the proposed balcony.

Notwithstanding the above, in considering the end-terraced nature of the dwelling, its siting within a single row of dwellings, and the enclosed nature of the site with high walls to the front and side, Members considered that the balcony would not form an overly prominent feature and that the visual impacts of the proposal were sufficiently mitigated. Additionally, due to the poor state of repair of the site, it was considered that the scheme would provide a substantial improvement to the current visual amenity of the area.

Members raised some concern with regard the proposed construction methods required for the balcony and whether safe access could be provided from the dwelling's front elevation. The Building Control team have been consulted on this matter and have advised that methods could be implemented that would ensure the relevant Building Regulations would be met; but that this issue would be considered through a separate, necessary Building Regulations application during any construction phase.

5. RECOMMENDATION

If, having considered the above advice, Members remain of a mind to grant planning permission, the following conditions are recommended:

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

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

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

- SGI 03
- SGI 04
- SGI 06
- SGI 07
- SGI 08

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.

PLANNING & DEVELOPMENT COMMITTEE

10 OCTOBER 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 24/0217/FUL (HB)
APPLICANT: Mr A Trembath
DEVELOPMENT: Two-storey side and first floor rear extensions, and enclosed balcony to front (amended description 04/09/2024).
LOCATION: 8 Brook Place Pentre CF41 7DT
DATE REGISTERED: 1 March 2024
ELECTORAL DIVISION: Pentre

RECOMMENDATION: Refuse

REASONS: The proposed balcony represents a visually incongruous form of development that would have a significant detrimental impact upon the character and appearance of the host dwelling and surrounding area, inconsistent with the existing pattern of development, and forming a dominant and alien feature within the street-scene.

Additionally, the balcony, by virtue of its scale, siting and elevated height would significantly impact upon the levels of amenity currently enjoyed by neighbouring residents.

The proposed development would therefore be contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the Council's adopted Supplementary Planning Guidance (SPG): A Design Guide for Householder Development.

REASON APPLICATION REPORTED TO COMMITTEE

- A request has been received from the local ward Member, Councillor Morgan, so that Committee can assess the potential impacts of the proposed development upon the amenity of neighbours and the character and appearance of the area.

APPLICATION DETAILS

Full planning permission is sought for following at 8 Brook Place, Pentre:

A two-storey extension to the eastern side and a first floor extension to the rear. The side extension would measure 6.2m in depth by a maximum width of 4.2m, reducing to 2m at the rear as it follows the irregular shape of the plot. The rear first floor addition would be set above an existing single storey annex having a corresponding footprint, 8.1m in depth by 4.2m in width. The roof of the existing property would be removed and a new roof structure covering the existing dwelling and the proposed extensions would be constructed. The roof pitch will be slightly shallower than the existing, but there would be no increase in height with the new roof tying into that of the adjoining terrace property. A first- floor balcony would be erected across the entire front elevation including 1.1m high balustrades and access doors from two bedrooms. The proposed balcony would project from the front elevation by 1.2m, over the public footway to the front and having its supports in the footway.

SITE APPRAISAL

The application site relates to a two-storey, end terraced property within a residential area of Pentre. The dwelling is attached on its southwest elevation by a neighbouring property and forms one of 6 dwellings within the row. The site fronts the footway and is bounded to the north-east by a parcel of land currently used as an informal community garden. The site itself is in a poor state of repair with roof damage evident due to a historical fire. A small amenity space is located to the eastern side of the dwelling which is bound by an extensive retaining wall.

Some neighbouring properties within Brook Place have rear roof terrace areas as formal amenity spaces. The rear boundaries of Brook Place back onto St Peters Court Flats whereby the ground floor level is significantly lower. To the north elevation is the side garden boundary of Ty Celenyn, with the level approximately that of the first floor of the application site. Opposite to the east is the rear portion of 1 Trip Terrace's rear garden, approximately at first floor level of the application site. Additionally, to the east is the large garden space with mature trees. To the southwest are the additional Brook Place dwellings and a set of single storey garages that back onto the rear gardens of Llewelyn Street.

The street-scene is mixed and somewhat eclectic. Brook Place itself consists of a characterful row of quaint enclosed terraced dwellings with the access via an enclosed single-track road. Each of the properties have attractive frontages with an outlook to green areas, screened by various trees and are not readily visible from the public realm. Brook Place is surrounded by development that is built up on all sides where the pattern and scale of development differs.

PLANNING HISTORY

None

PUBLICITY

The application has been advertised by means of direct neighbour notification. No letters of objection or representation have been received.

CONSULTATION

Highways and Transportation: No objection raised or conditions suggested.

POLICY CONTEXT

The current LDP's lifespan was 2011 to 2021. It has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 04 January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 04 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24 September 2020. Subsequently, the existing Plan remains the development plan for consideration when determining this planning application.

Rhondda Cynon Taf Local Development Plan

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

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

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

Supplementary Planning Guidance

Design and Placemaking

A Design Guide for Householders

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) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of all planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, although it should form the basis of all decisions. The thrust and general context of each of the policy documents are aimed at sustainable development.

While the proposed development is generally consistent with the sustainable development aims of national policy, it would have a significant detrimental impact upon the character and appearance of the area and the amenities of surrounding residents, contrary to the placemaking objectives.

Other national policy guidance considered:

PPW Technical Advice Note 12 – Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to the extension of an existing residential dwelling. The general principle of such a proposal would normally be considered acceptable. However, on this occasion the development proposed is considered to be unacceptable in terms of the impact it would have upon the character and appearance of the area and the residential amenities of neighbouring properties, and is therefore unacceptable.

Impact on the character and appearance of the area

The proposal is considered to result in an unacceptable adverse impact upon the character and appearance of the area for the following reasons:

The proposed side and rear extensions would not protrude past the principal elevation, would tie into the existing terraced dwellings, would not increase the ridge height, and would therefore form an acceptable feature within the street-scene. However, given its scale, elevated height and highly prominent position to the front of a terraced property,

it is considered the proposed stilted balcony would form an alien design feature within the characterful street-scene. This impact would be exaggerated by the fact that the structure would protrude from the principal elevation of the dwelling over the public footway, breaking the established common building line. Additionally, there are no examples of elevated amenity spaces to the front of properties within the area which will further exacerbate the potential visual impact. It is therefore considered the balcony would dominate the façade and would consequently result in an incongruous form of development, significantly detracting from the existing character and appearance of the host property and the wider street scene.

The proposal is therefore considered contrary with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan in visual terms.

Impact on residential amenity and privacy

The proposal is considered to result in an unacceptable adverse impact upon the amenity/privacy of neighbouring properties for the following reasons:

Given the scale and siting of the proposed extensions it is not considered they would result in any undue impact to the amenities of the surrounding neighbours. However, there is concern with the potential impact the proposed balcony would have upon the amenities of the closet properties.

Following construction of the proposed extensions the proposed balcony area would be the sole amenity space for the site. At an elevated height and due to the scale, it would promote extended durations of operation. It would result in uninterrupted direct views into the residential garden areas opposite which is unacceptable. As such, the proposed balcony is considered to have an unacceptable detrimental impact upon the levels of amenity currently enjoyed by neighbouring properties.

Therefore, due to the scale, siting and elevated height of the proposed balcony, it is considered the amenity and privacy of surrounding neighbouring properties would be significantly negatively impacted and the application would therefore be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan in these terms.

Highway Safety

The proposed balcony would protrude forward of the principal elevation over the footway to the front, with its supports sited within the footway. Highways and Transportation advised that the footway is not a public facility and is in the control and ownership of the applicant. Consequently, while there is some concern with the balcony stilts restricting less able-bodied pedestrians to pass, no objection has been raised. As such, the proposal is considered acceptable in the context of highway safety and compliant with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this respect.

Impact upon Green Infrastructure

PPW (Edition 12) and Future Wales 2040 seek to ensure that green infrastructure is protected, enhanced and the effects of climate change mitigated. While no Green Infrastructure Statement has been submitted, the proposal raises no significant concerns in this regard given the existing context and minor scale of the development proposed. The scale and siting of the development is such that it would have minimal impact upon green infrastructure or biodiversity interests, nor would it have any significant impact upon climate change. The LPA have a duty to act towards securing the maintenance and enhancement of the above-mentioned features and to mitigate against the effects of climate change, however, in this case there would be no significant adverse impact and there remains sufficient scope for the applicant to make improvements in this regard. Any such improvements could be appropriately controlled by condition.

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 balcony, by virtue of its scale, siting and elevated height represents a form of development that would be visually incongruous and considered detrimental to the character and appearance of the area. Additionally, the balcony would have a significant detrimental impact upon the current levels of amenity enjoyed by neighbouring residents. Therefore, the application is considered contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: REFUSE

1. The proposed balcony represents a visually incongruous form of development that would have a significant detrimental impact upon the character and appearance of the host dwelling and surrounding area, inconsistent with the existing pattern of development, forming a dominant and alien feature within the street-scene. Additionally, the proposed balcony, by virtue of its scale, siting and elevated height would significantly impact upon the levels of amenity currently enjoyed by neighbouring residents by way of direct overlooking. The proposed development is therefore contrary to Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the Council’s adopted Supplementary Planning Guidance (SPG): A Design Guide for Householder Development.

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PLANNING & DEVELOPMENT COMMITTEE

07 NOVEMBER 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 14/10/2024 – 25/10/2024

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

07 NOVEMBER 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: 24/0265
APPEAL REF: CAS-03573-Q1C9X8
APPLICANT: Mr I Aslam
DEVELOPMENT: Change of use of land to the rear for vehicle access and parking and change of use from storage to 2no. retail units and associated works.
LOCATION: Trealaw Convenience Store, 253-259 Brithweunydd Road, Trealaw, Tonypandy, CF40 2NZ
APPEAL RECEIVED: 23/10/2024
APPEAL START DATE: 23/10/2024

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
Delegated Decisions (Permission) between 14.10.24 – 25.10.24

Report for Planning and Development Committee

WARD:Abercynon

Application No:	24/0892/FUL	Decision Date	16.10.2024
Proposal:	Demolition of existing masonry training tower to be replaced with proposed steel training tower		
Location:	South Wales Fire and Rescue Abercynon Fire Station, The Basin, Cilfynydd Road, Abercynon		

WARD:Aberdare East

Application No:	24/0912/FUL	Decision Date	22.10.2024
Proposal:	The proposal is to professionally paint the lower East facing wall and the south river facing walls with a street art mural, depicting images of remembrance to Armed forces personnel and civilian population involved in defending the nation, depiction will include the heritage of the Cynon valley such as mining and production of munitions from WW1, WW2 to present day. This will act as a backdrop to the Memorial Garden area.		
Location:	Rhondda Cynon Taf CBC, Aberdare Library, Green Street, Gadlys, Aberdare		

WARD:Aberdare West and Llwydcoed

Application No:	24/0815/FUL	Decision Date	18.10.2024
Proposal:	Proposed overclad of existing shipping containers to create a coffee area. Marquee area to create a gym area with 3mr roller shutters to gain access and side elevation with perspex window (Partly Retrospective).		
Location:	Commando Fit, Dare Valley Country Park, Dare Road, Cwmdare, Aberdare,		

WARD:Beddau and Tyn-y-nant

Application No:	24/0905/FUL	Decision Date	22.10.2024
Proposal:	Demolish rear conservatory and construct rear single storey extension.		

Location:	Cwm Cartref, Windsor Gardens, Beddau, Rhondda Cynon Taf CF38 2PS
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WARD:Beddau and Tyn-y-nant

Application No:	24/0909/FUL	Decision Date	22.10.2024
Proposal:	Removal of existing conservatory and replace with single storey rear extension.		
Location:	61 Llantrisant Road, Beddau		

WARD:Cwmbach

Application No:	24/0805/FUL	Decision Date	16.10.2024
Proposal:	Retaining block wall with render finish stainless steel posts and glass panel balustrade around patio area.		
Location:	Y Grisiau, Well Place, Cwm-bach, Aberdare		

WARD:Cwmbach

Application No:	24/0885/FUL	Decision Date	22.10.2024
Proposal:	Proposed alteration works including a Velux cabrio installation and new French door with Juliet balcony		
Location:	3 Cae Alaw Goch, Cwm-bach, Aberdare		

WARD:Glyn-coch

Application No:	24/0914/FUL	Decision Date	22.10.2024
Proposal:	Rear single storey extension and front hardstanding.		
Location:	37 Pearson Crescent, Glyn-coch, Pontypridd		

WARD:Llantwit Fardre

Application No:	24/0899/FUL	Decision Date	15.10.2024

Proposal:	New single storey extension to the rear of the property, with level accessible floor to match the main dwelling, the new construction will replace the existing flat roofed extension.
Location:	61 Queen's Drive, Llantwit Fardre

WARD:Llantwit Fardre

Application No:	24/0925/FUL	Decision Date	22.10.2024
Proposal:	Change of use of garage to bedroom and en suite.		
Location:	7 Gwaelod Y Foel, Church Village		

WARD:Llantwit Fardre

Application No:	24/5090/PRE	Decision Date	18.10.2024
Proposal:	Pre App - Statutory		
Location:	16 Hill Drive Llantwit Fardre Rhondda Cynon TafCF38 2ES		

WARD:Pen-y-graig

Application No:	24/0616/FUL	Decision Date	18.10.2024
Proposal:	New entrance for accessible ramp and steps, new boundary wall to the south, modifications to the existing boundary wall to the east		
Location:	Rhondda Amateur Boxing Club, Hendrecafn Road, Pen-y-graig, Tonypany		

WARD:Pentre

Application No:	24/0620/RVOC	Decision Date	23.10.2024
Proposal:	Removal of condition 7 road layout turning area (17/1111/10)		
Location:	Catherine Street, Pentre		

WARD:Taff's Well

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Application No:	23/1381/ADV	Decision Date	17.10.2024
Proposal:	Like for like signage change, flexed faced skin - heavy vinyl - change of colour and logo		
Location:	G E Aircraft Engine Services Ltd, Caerphilly Road, Nantgarw, Taff's Well, Cardiff		

WARD: Ton-Teg

Application No:	24/0910/FUL	Decision Date	22.10.2024
Proposal:	Single storey side extension.		
Location:	65 Ffordd Gerdinan, Ton-teg		

WARD: Trallwng

Application No:	24/0443/FUL	Decision Date	23.10.2024
Proposal:	Creation of off road parking space for one vehicle at front of property parallel to highway (Amended plan and swept path analysis received 23/09/2024)		
Location:	16 Ty-Gwyn Road, Pontypridd		

WARD: Treforest

Application No:	24/0742/FUL	Decision Date	22.10.2024
Proposal:	Two storey side extension and ground floor front extension		
Location:	1 Bryn llan Glyn-taf, Pontypridd		

WARD: Treherbert

Application No:	24/0881/FUL	Decision Date	22.10.2024
Proposal:	Two storey and single storey rear extensions.		
Location:	11 David Street, Treherbert		

WARD: Treherbert

Application No:	24/0945/FUL	Decision Date	25.10.2024
Proposal:	First floor bedroom extension.		
Location:	8 Prince's Street Treherbert Rhondda Cynon Taf CF42 5AL		

WARD:Tylorstown and Ynyshir

Application No:	24/0841/FUL	Decision Date	18.10.2024
Proposal:	The erection of a single dwelling, access, parking, landscape and associated works		
Location:	Glenside Printing, Wattstown, Porth		

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
Delegated Decisions (Refusal) between 14.10.24 – 25.10.24

Report for Planning and Development Committee

WARD:Aberdare West And Llwydcoed

Application No:	24/0768/FUL	Decision Date	15.10.2024
Proposal:	Demolish existing garage and construct a two storey side extension.		
Location:	4 Cypress Court, Cwmdare, Aberdare		

WARD:Tonyrefail West

Application No:	24/0875/FUL	Decision Date	18.10.2024
Proposal:	Change of use to local convenience shop, demolition of single storey rear extension to create parking area, and external alterations.		
Location:	Penrhiwfer Community Centre, Ashdale Road Penrhiw-fer, Tonypandy,		

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