



PLANNING & DEVELOPMENT COMMITTEE

2 DECEMBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1165/10 (KL)
APPLICANT: Mr K Buckley
DEVELOPMENT: Change of use from travellers site to caravan storage.
LOCATION: STABLE VIEW. HALT ROAD, RHIGOS, ABERDARE
DATE REGISTERED: 19/08/2021
ELECTORAL DIVISION: Rhigos

RECOMMENDATION: Approve, subject to conditions

REASONS: Whilst the site is located outside of the defined settlement boundary, it is located in some proximity to Hirwaun Industrial Estate (also outside of the defined settlement boundary) in which there are a number of existing industrial and commercial uses. It is therefore not considered that the proposed use would unacceptably conflict with surrounding land uses, or with the adjacent waste allocation site (CS9). The site is considered to be an area of previously developed land with an existing access point and access track which would lend itself to some form of development. The Council's Highways and Transportation section have not raised any objection in relation to the access to the site.

Furthermore, the site is largely screened from view and it is not considered that the siting of caravans at the site would have an adverse impact upon the character and appearance of the surrounding area or upon the amenity and privacy of surrounding properties.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for the change of use of land from a Traveller site to caravan storage.

The plans submitted with the application indicate that the site would hold up to 72 caravans with each space measuring 3 metres in width by 6 metres in depth. The site would be accessed from the existing access point off Halt Road with a new security gate being erected at the end of the existing access road. A security fence which would measure 2.5 metres in height would be erected around the perimeter of the site.

Details provided by the applicant indicate that the site would be operated on an appointment basis only whereby customers wishing to store their caravans would arrive at the site at a pre-arranged time to meet the site manager. The appointments would take place between the hours of 08:30 and 17:30 only.

SITE APPRAISAL

The application site relates to an irregular shaped parcel of land which is located approximately 2.5km to the west of the village of Hirwaun. It is situated between Halt Road (to the north) and the A465 trunk road (to the south) with an existing stable block (in the applicant's ownership) and Fifth Avenue Guest House being located to the east.

The site measures approximately 0.36 hectares and consists of a hardcore area that is set above Halt Road. Access to the site is via existing gates off Halt Road to the north-west with an existing access road leading to a hardcore area. The northern boundary of the site adjacent to Halt Road is defined by a number of mature trees which would be retained as part of the proposal.

It is understood that the site was previously occupied by a Traveller family with two mobile homes, two touring caravans and a small wash house/utility building being located within the site. The site has, however, been vacant since 2014.

The site is located outside of the defined settlement boundary however, Hirwaun Industrial Estate is located approximately 320m to the south (also outside the defined settlement boundary) and, as such, there are a number of commercial and industrial uses in the vicinity of the site. However, it is also noted that there are also a number of residential properties as well as an existing guest house along Halt Road/Fifth Avenue.

PLANNING HISTORY

The following applications are on record for this site:

08/1569	Stable View, Halt Road, Hirwaun	Change of use of land from agricultural to a one- family Traveller site, including stationing of 2 mobile homes, 2 touring caravans, parking and small wash house/utility building.	Granted 06/04/09
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97/4275	Stable View, Halt Road, Hirwaun	Retention of mobile home	Refused 12/09/97
			Allowed on appeal: 30/01/99
96/4089	Stable View, Halt Road, Hirwaun	Retention of storage containers	Withdrawn 11/09/97
95/0148	Stable View, Halt Road, Hirwaun	Retention of grading and tipping of hardcore material and erection of stables	Granted 23/06/95
84/0233	Stable View, Halt Road, Hirwaun	Erection of mobile homes	Refused 18/07/84

PUBLICITY

The application has been advertised by means of direct neighbour notification, the erection of two site notices in the vicinity of the site and the publication of a press notice in a local newspaper.

No letters of objection or representation have been received.

CONSULTATION

Countryside, Landscape, Ecology: No objection is raised, or condition suggested.

Flood Risk Management: No objection is raised, or condition suggested.

Highways and Transportation: No objection, subject to conditions

Natural Resources Wales: The response received indicates that they do not have any comments to make on the proposed development.

Public Health and Protection: No objection is raised, or condition suggested.

Welsh Water: No objection is raised, or condition suggested.

No other responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy CS1 – Development in the North: Emphasis is on building strong, sustainable communities by ensuring the removal and remediation of dereliction by promoting the re-use of under used and previously developed land and buildings.

Policy CS9 – Waste Management: Allocates land at Hirwaun Industrial Estate for waste management, including recycling and composting.

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

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

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

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

Supplementary Planning Guidance

Design and Placemaking
Access Circulation and Parking

National Guidance

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

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

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

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

Other relevant policy guidance consulted:

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application site is located outside of the defined settlement boundary where development would not ordinarily be supported. However, it is located in close proximity to Hirwaun Industrial Estate (also outside of the defined settlement boundary) and immediately adjacent to an allocated site for waste development (Policy CS9). Hirwaun Industrial Estate, by its very nature, is characterised by a vast number of commercial and industrial uses and it is not considered that the proposed use of the site for the storage of caravans would unacceptably conflict with surrounding land uses or indeed the CS9 Waste Allocation. Furthermore, given that the proposal seeks permission for the storage of caravans, the site does not necessarily need to be accessible by a range of sustainable transport options or by foot or bicycle as the caravans would be brought to and taken from the site by car/van.

Furthermore, it is considered that the site meets the definition of previously developed land, as set out in Planning Policy Wales (Edition 11). Whilst the site is currently vacant, it was most recently occupied by a single Traveller family and their mobile homes as approved by planning permission ref. 08/1569 (for the siting of 2 no. mobile homes, 2 no. touring caravans and a small wash house/utility building). The mobile homes and wash house building are no longer at the site, however, the area of hardcore on which the caravans and mobile homes were sited (hardcore area previously approved by planning permission ref. 95/0148), the site access and access track are all still in place and it is therefore considered that the site would lend itself to some form of development. Furthermore, the Council's Highways and Transportation section have not raised any objection to the proposal in terms of the potential impact upon highways safety in the vicinity of the site (discussed in greater detail in *Highway Safety* section below).

In light of the above, whilst the site is located outside of the defined settlement boundary, the principle of the proposal to provide a caravan storage facility at the site

is considered to be acceptable, subject to an assessment of other material planning consideration, as discussed in subsequent sections of this report.

Impact on the character and appearance of the area

The application site forms a relatively flat plateau of land which is raised above the road at Fifth Avenue however, the site is not particularly visible from the surrounding area due to a large number of trees that surround the site. The plans indicate that trees are to be retained and it is therefore not considered that the caravans that would be stored at the site would appear overly prominent within the landscape.

It is noted that there may be views of the site from the Brecon Beacons National Park however, given that the site is located in some proximity to Hirwaun Industrial Estate, it is considered that it would be viewed in context with the numerous other industrial uses and structures to the south. No response has been received from Brecon Beacons National Park following the consultation exercise.

In light of the above, the proposal is considered to be acceptable in terms of the impact it would have upon the character and appearance of the area and in terms of the Brecon Beacons National Park and the application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

The application site is located in an area of Hirwaun that is predominantly characterised by industrial and commercial properties, although it is noted that there are a number of residential properties located in the vicinity as well. The nearest properties are located to the east of the site which forms Fifth Avenue Guest House (approximately 50m away) and an associated residential bungalow (approximately 90m away). Whilst the use has the potential to result in some level of noise and disturbance from the comings and goings of customers, the applicant has confirmed that activity would be limited to daytime hours (08:30-17:30) with customers being met at the site by the site manager. It is considered that the operational hours of the use are acceptable and that the amenity of any neighbouring property would not be unduly compromised. Furthermore, the very nature of the proposed use would not give rise to any significant overbearing, overshadowing or overlooking impacts and this is particularly the case due to the siting of an existing stable block between the site and the guest house (both of which are understood to be within the applicant's ownership).

The use of the site for storage purposes would also not unacceptably conflict with other industrial or commercial uses in the area.

As such, the proposal is considered to be acceptable in terms of the impact it would have upon the amenity and privacy of surrounding residential properties and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Access and highway safety

The proposal has been assessed by the Council's Highways and Transportation section with no objection being raised in relation to the impact of the proposal upon highway safety in the vicinity of the application site. The comments note that the application site is served off Fifth Avenue with an existing access point and a gate set back 10 metres from the edge of the carriageway. The access track beyond the gate onto the proposed storage area narrows to single width and concern is raised that this could result in potential reversing manoeuvres out onto Fifth Avenue, should a vehicle and caravan be leaving the site with one trying to enter. However, the applicant has provided additional information relating to the control of the access with caravans entering and leaving the site on an appointment basis only and therefore, the likelihood of two opposing vehicle movements would be minimal.

It is also noted that the speed limit on Fifth Avenue is 30Mph which requires a vision splay of 2.4m x 40m, in accordance with Technical Advice Note 18: Transport. Concern was initially raised that the access was sub-standard in this regard due to the location of an adjacent fence however, the applicant provided amended plans indicating the boundary fence set back to provide the required vision splay, which is considered to be acceptable. A condition is recommended to ensure that the site access is laid out in accordance with the required vision splays prior to the development being brought into beneficial use.

In light of the comments received from the council's Highways and Transportation section, the proposal is considered to be acceptable (subject to conditions) in terms of the impact it would have upon highway safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues:

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

Land Drainage

The proposal does not include any increase to the impermeable surfaces at the site and the Council's Flood Risk Management team have not raised any objection or recommended any drainage conditions.

Ecology

The proposal would not result in any site clearance with the caravans being stored upon the existing area of hardcore. The Council's Ecologist has therefore not raised any objection to the proposal or requested that ecological surveys be undertaken.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Whilst the site is located outside of the defined settlement boundary, it is located in some proximity to Hirwaun Industrial Estate (also outside of the defined settlement boundary) in which there are a number of existing industrial and commercial uses which would not be compromised by the proposed storage use. Furthermore, the site is considered to be an area of previously developed land with an existing access point and access track which would lend itself to some form of development. The Council's Highways and Transportation section have not raised any objection in relation to the access to the site.

Furthermore, the site is largely screened from view and it is not considered that the siting of caravans at the site would have an adverse impact upon the character and appearance of the surrounding area or upon the amenity and privacy of surrounding properties.

RECOMMENDATION: Grant

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 unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 2820 C – Proposed Storage Compound for Touring Caravans (rec. 19th August 2021)

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 beneficial use the vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4 x 40 metre vision splays.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

5. No development shall commence until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

6. The public opening hours of the business shall be restricted to the following:

Monday to Sunday: 08:00 -18:00

Reason: In the interests of the amenity of neighbouring occupiers and to define the scope of the consent, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. The site shall be used solely for the purpose of the storage of caravans. The caravans shall not be used for residential or leisure (tourism) purposes at any time.

Reason: To clearly define the scope of the permission.