

PLANNING & DEVELOPMENT COMMITTEE

22 February 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

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

RECOMMENDATION: Approve, subject to conditions.

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

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

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

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

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

SITE APPRAISAL

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

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

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

PLANNING HISTORY

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

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

PUBLICITY

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

CONSULTATION

None undertaken.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

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

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

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

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

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

Supplementary Planning Guidance

- Design and Placemaking
- The Historic Built Environment

National Guidance

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

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

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

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

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

Other relevant national planning policy guidance consulted:

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

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the Proposed Development

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

Visual Impact

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

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

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

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

There are consequently no concerns in visual terms.

Residential Amenity

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

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

Community Infrastructure Levy Liability

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

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

Conclusion

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

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

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

RECOMMENDATION: Approve, subject to conditions below.

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

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

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

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

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

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

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