

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2014-2015**

**DEVELOPMENT CONTROL  
COMMITTEE  
2 APRIL 2015**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	Agenda Item No.6
<p><b>APPLICATION NO. 12/0183 ERECTION OF A CLASS A1 RETAIL STORE, CAR PARKING, NEW SITE ACCESS AND ASSOCIATED INFRASTRUCTURE WORKS, LAND SOUTH OF HIRWAUN, ABERDARE.</b></p>	

**1. PURPOSE OF THE REPORT**

Members are asked to give further consideration in the determination of the above planning application following the introduction of the Community Infrastructure Levy.

**2. RECOMMENDATION**

That Members reaffirm their decision to approve the application subject to the alterations outlined below.

**3. BACKGROUND**

This application was originally reported to the Development Control Committee on 26<sup>th</sup> September 2013 (a copy of the original report is reproduced as **APPENDIX A**). At that meeting Members resolved to approve the application subject to the applicant entering into a Section 106 Agreement to make a transport tariff contribution towards improving the strategic highway network and an ecological enhancement plan with financial support as mitigation for the displaced Marsh Fritillary Butterfly habitat (minute No.90(2) refers). Negotiation of the Section 106 has been protracted largely as a result of the need to secure appropriate habitat for the protected Marsh Fritillary Butterfly and this remains the case.

As Members will be aware the Community Infrastructure Levy (CIL) was introduced by the Council on December 31<sup>st</sup> 2014. CIL is now the means by which the Council secures contributions for infrastructure improvements. Under the relevant Regulations a Section 106 Agreement can no longer constitute a reason for granting planning permission to the extent that the obligation provides funding for infrastructure which will be funded by CIL. As such it is no longer appropriate to pursue the transport tariff contribution as originally

agreed by Members as this would now be funded through the Community Infrastructure Levy process

The proposed development sought outline planning permission for a class A1 retail food store which would not of itself attract a Community Infrastructure Levy payment as such payment would only be sought at the reserved matters stage. However, should a reserved matters application follow the grant of outline consent then a CIL payment of £100 per square metre based on the internal floorspace of the building would be the appropriate payment. In this case it would mean that at the appropriate time a CIL payment of up to £464,300 could be secured

Having regard to the previous resolution and the advice given above, Members are requested to approve the application with a section 106 agreement that retains the ecological requirements as outlined in the original report and without the requirement for the transport tariff contributions.

## APPENDIX A

**APPLICATION NO:** 12/0183/13 (GD)  
**APPLICANT:** Kings Court (Wales ) Ltd.  
**DEVELOPMENT:** Erection of a class A1 retail store, car parking, new site access and associated infrastructure works (outline application).  
**LOCATION:** LAND SOUTH OF HIRWAUN, ABERDARE.  
**DATE REGISTERED:** 28/02/2012  
**ELECTORAL DIVISION:** Hirwaun

### APPLICATION DETAILS

This is an outline planning application seeking in principle consent for the construction of an A1 retail store, car parking access and associated infrastructure adjacent to the A465(T) at Hirwaun.

The application seeks consent for a 3,250 square metre (net) 4643 square metre (gross) retail floor space. On site parking will consist of a total of 261 spaces with 16 of those being disability standard. There will also be a total of 14 cycle parking facilities and 13 motorcycle parking bays.

The application forms indicate that all matters other than access are reserved for future consideration. However, it is clear from the content of the applicant's design and access statement that this is limited to the details of vehicular access to the site only. On this issue, the intension is to create a new access arrangement into the site from the current route of the Heads of the Valleys road. This will take the form of a "left in left out only" T-junction arrangement to be located approximately 350 metres west of the current Hirwaun/Trevaun roundabout. Other than in the figures mentioned above there is no detail to be considered in respect of other access issues such as pedestrian access cycle access, public transport or inclusive elements, though the existing network through Hirwaun to the site gives some indication of how this might be achieved.

In addition to the standard application forms and associated plans the current application is also accompanied by

- A Planning and Retail Statement.
- Design and Access Statement
- Transport Assessment.
- Drainage Statement.
- Ecological and Landscape Assessment (Land at Hirwaun), and:
- Ecological and Landscape Assessment (Southern and Northern Residential areas).

### SITE APPRAISAL

The application site contains three distinct red line boundaries. There is reason in this approach as the application aims to take full account of the

impact of the proposal on the A465 (T) Heads of the Valleys Road and demonstrate a willingness to make provision for access and infrastructure that would be required in bringing forward the site.

The largest area comprises the site for the supermarket along with a 350m length of the A465(T) between the site and the Trewaun Roundabout. The site is located immediately to the east of the Hirwaun Recreation grounds and rises in a southerly direction. This part of the site is largely featureless though the grasses that cover most of it are ecologically significant.

The smallest element within the red line boundary is comprised in the junction where the Trewaun Roundabout meets Brecon Road. This feature will need to be improved to meet basic traffic movement requirements.

The third area of land is a broadly rectangular area of land located between Trewaun roundabout and the nursery adjacent to Roseville Bungalow. This area of land has been included not because it is a necessary part of the supermarket applied for but because it demonstrates the applicant's commitment to being able to bring forward the infrastructure that the wider site would require. This element of the application lies above Hirwaun Road where there is a hedgerow boundary and is otherwise open agricultural land.

## **PLANNING HISTORY**

01/4174	Development of land for sports/ recreation	Refused 4/07/02
51/94/0114	New car park to serve adjacent playing fields	Approved 3/02/95

## **PUBLICITY**

The application has been advertised by means of press notice, site notices and neighbour notification letters and has generated no response from local residents.

## **CONSULTATION**

Transportation Section - raise no objection to the proposed development subject to conditions and the developer entering into an agreement under Section 106 to secure an appropriate transportation tariff contribution.

Public Health & Protection Division - no objections subject to conditions.

South Wales Police - raise no objection to the proposed development and go on to advise in respect of aspects of secure design for any subsequent reserved matters submission should this outline application be approved.

Natural Resources Wales - in summary NRW does not object to the application, provided that sufficient mitigation for losses to breeding habitat for

the marsh fritillary butterfly, the feature of the nearby Blaen Cynon Special Area of Conservation (SAC) is secured before the commencement of development on site (including any groundworks, clearance or work that may otherwise damage the habitats present on the site.)

No issues are raised in respect of flooding related matters.

Welsh Government Roads & Projects Division - raise no objection to the proposed development subject to the agreement of access arrangements and a safety audit.

Brecon Beacons National Park - the national park boundary is approximately 1.3km north of the application site. Distant views from the A4059 towards the site confirm that the development site is not overly conspicuous from within the national park and is therefore unlikely to have a significant impact on the statutory purposes of the national park.

Land Reclamation & Engineering Manager - indicates that there is a certain lack of detail provided by the applicant but indicates that such matters can be adequately addressed through the use of planning conditions.

Glamorgan Gwent Archaeological Trust - raise no objection subject to a condition requiring the applicant to submit a detailed programme of investigation into the archaeological resource being attached to any consent that might be issued.

Dwr Cymru Welsh Water - no objections subject to conditions.

Western Power Distribution - raise no objection to the proposed development and advise in respect of the location of their apparatus in the vicinity of the application site and safe working practices to be adopted when working in proximity to it.

South Wales Fire and Rescue Service - no objections subject to the provision of adequate water supplies being provided on site for fire fighting purposes and the provision of appropriate access for fire fighting appliances.

Hirwaun Community Council - object to the proposed development on the basis that access from the western side of the site will mean crossing the three lane road (A465(T) Heads of the Valleys Road).

## **POLICY CONTEXT**

### The Rhondda Cynon Taf Local Development Plan

The application site is located within the settlement boundary.

The principal policies within the Local Development Plan are summarised as follows:

### Core Strategy:

- Policy CS 1 – Development in the North
- Policy CS 3 – Strategic Sites
- Policy CS 7 – Retail Development

### Area Wide

- Policy AW2 – Sustainable Locations
- Policy AW 4 – Community Infrastructure and Planning Obligations
- Policy AW 5 – New Development
- Policy AW 6 – Design and Place-making
- Policy AW 8 - Protection and Enhancement of the Natural Environment
- Policy AW 11- Existing Employment & Retail Uses

### Strategy Area

- Policy NSA 3 – Development in the Key Settlement of Hirwaun
- Policy NSA 8 – Land South of Hirwaun
- Policy NSA 16 – Re development of vacant / redundant industrial sites
- Policy NSA 17 – Retail Allocations
- Policy NSA 18 – Retail Hierarchy

### Supplementary Planning Guidance (SPG)

- Adopted Planning Obligations SPG (March 2011)
- Adopted Access, Design & Parking (March 2011)
- Adopted Nature Conservation SPG (March 2011)

### Evidence Base

- LDP Infrastructure Needs Study (2009)
- Rhondda Cynon Taf Retail Capacity Assessment Quantitative Update (2008)
  - Retail Topic Paper (2010)
  - Hirwaun Village Study (2009)

The Adopted Rhondda Cynon Taf Local Development Plan (LDP) core strategy provides a framework for development in the County Borough that meets local needs whilst promoting sustainable growth. The strategy recognises that northern and southern Rhondda Cynon Taf have very different socio – economic characteristics. As a result, the LDP provides a policy framework for the northern and southern area. The application site is located in the Northern Strategy Area. **Policy CS 1** places an emphasis on building strong, sustainable communities in the Northern Strategy Area. Criterion 1, requires new commercial development in locations which support and reinforce the roles of the Principal towns and key settlements; 3, which promotes the re-use of previously developed land and buildings, and 6, which

seeks to encourage a strong and diverse economy and are particularly relevant to the application.

The LDP core strategy recognises the important role that Key Settlements such as Hirwaun play as centres for social and economic activity. **Policy NSA 3**, provides a positive framework for the delivery of new residential, commercial and community uses in Hirwaun. The policy acknowledges that the relatively significant amount of new residential development has taken place in the settlement in recent years has not been supported by an increase in the provision of local services and facilities.

To support further growth in the Key Settlement, the LDP through **Policy CS 3(5)** allocated the Land to the South of Hirwaun as a strategic site suitable for large scale residential and employment related development. Included within the allocation is the provision for additional small scale retail and community uses. Further details of the allocation is provided in **Policy NSA 8**, which states:

*In accordance with Policy CS 3 land is allocated South of Hirwaun for the construction of 400 dwellings, 36 hectares of employment, a new primary school, a retail store of 2000m<sup>2</sup> net floor space, medical /community centre and informal recreation contained in a landscape setting. Development on the Strategic Site will be subject to a large-scale reclamation scheme.*

In addition to Policy CS3(5) / NSA 8, **Policy CS7 and NSA17** also allocates land in the Northern Strategy area for retail development. Criterion 2 identifies Strategic Site 5 – Land South of Hirwaun for the development of 2,000sqm (net) of new retail floor space. The allocation is intended to provide 1000sqm (net) convenience and 1000sqm (Net) comparison floor space. This approach is supported by **Policy NSA18** which recognises the role of Hirwaun in the Northern Strategy Area Retail Hierarchy.

The Area Wide policies contained in the LDP provide a framework which seeks to ensure that the development proposals through out the County Borough accord with the plans visual and spatial objectives. **Policy AW2** requires that all new development is guided to sustainable locations, particularly relevant in this instance is the assessment of the application in relation to criterion 1, 3, 4, 5, 6, 7 and 8. **Policies AW5 and AW6** equally seek to ensure that the design of the proposed development does not adversely impact on the amenity of local residents, is accessible and of a high standard design. Policy AW 8 aims to protect the natural environment from inappropriate development indicating that development proposals will only be permitted where they would not cause harm to (amongst other things) sites of Importance for Nature Conservation, and where there would be no unacceptable impact on features of importance to landscape or nature conservation, including ecological networks.

### Planning Policy Wales

Is the overarching planning policy document that that guides planning and development in Wales. The following extracts are considered the most relevant to this application.

Chapter 2 deals with the specific requirements of development plans.

Paragraph 2.1.2. Indicates that Local Development Plan's should provide a firm basis for rational and consistent decisions on planning applications and appeals, They are fundamental to planning for sustainable development. 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 circumstances dictate other wise. Conversely applications which are not in accordance with the relevant policies in the plan should not be allowed unless material considerations dictate otherwise.

Chapter 3 deals with the issue of making and enforcing planning decisions.

Paragraph 3.1.2. States that planning applications should be determined in accordance with the Local Development Plan unless material circumstances dictate otherwise.

Paragraph 3.1.3. Factors to be taken into account in making planning decisions (material considerations), must be planning matters, that is, they must be relevant to the regulation of development and the use of land in the public interest towards the goal of sustainability.

Paragraph 3.1.8. Indicates that while the substance of local views must be considered, the duty is to decide each case on its planning merits.

Chapter 4 places sustainability at the heart of decision making in planning in Wales.

Paragraph 4.7.4 Local planning Authorities should assess the extent to which new development is consistent with minimising the need to travel and increase accessibility by modes of transport other than the private car.

Chapter 5 deals with conserving and improving natural heritage and the coast.

Paragraph 5.1.1. Indicates that the natural heritage and valued landscapes of Wales are not confined to statutory designated sites but extend across all of Wales.

Paragraph 5.1.2. Indicates that amongst the Welsh Governments objectives for the conservation and improvement of the natural heritage are, promotion of landscape conservation and biodiversity, ensuring that statutory designated sites are properly protected and managed and the safeguarding of protected species.



Paragraph 5.1.3. Indicates that a key role of the planning system is to ensure that society's land requirements are met in ways which do not impose unnecessary constraints on development whilst ensuring that all reasonable steps are taken to safeguard or enhance the environment.

Paragraph 5.5.1. States that biodiversity and landscape considerations must be taken into account in determining individual applications and contributing to the implementation of specific projects.

Paragraph 5.5.11. States that the presence of a species protected under UK or European legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to a species or its habitat.

Chapter 7 sets out the planning policy of the Welsh Government in respect of economic development

Paragraph 7.1.5. Effective planning for the economy requires Local Planning Authorities to work strategically and co-operatively steering development and investment to the most efficient and most sustainable locations.

Paragraph 7.6.1. Local Planning Authorities should adopt a positive and constructive approach to applications for economic development. In determining applications for economic land uses Local Authorities should take account of the likely economic benefits of the development based on robust evidence.

Chapter 8 sets out planning policy on transport

Paragraph 8.1.1. The Welsh Government aims to extend choice in transport and accessibility in a way which supports sustainable development and helps to tackle the causes of climate change by encouraging a more effective and efficient transport system, with greater use of more sustainable and healthy forms of travel and by minimising the need to travel.

Paragraph 8.7.1 Indicates that when determining a planning application that has transport implications, Local Planning Authorities should take into account

- The impacts of the proposed development on travel demand.
- The level and nature of public transport provision.
- Accessibility by a range of different transport modes.
- The willingness of a developer to promote travel by public transport, walking or cycling, or to provide infrastructure or measures to manage traffic to overcome transport objections to the development.
- The environmental impact of both the transport infrastructure and the traffic generated, and;
- The effects on the safety and convenience of other users of the transport network.

Chapter 10 sets out planning policy on retailing and town centres.

Paragraph 10.2.1 Indicates that Local Planning Authorities should consider though their development plans the delivery of vital attractive and viable centres.

Paragraph 10.2.12 States that in allocating sites for different types of retail development Local Planning Authorities should take account of such factors as floor space, quality, convenience, attractiveness and traffic. They should not however prescribe rigid floor space limits, whether for town centres or other development that would unreasonably inhibit the retail industry from responding to changing demand and opportunity.

Paragraph 10.3.1. Instructs that when determining an application for a retail use...best located in a town centre Local Planning Authorities should take into account.

- Compatibility with any community strategy or up to date development plan strategy.
- The need for the development, unless the proposal is for a site within a defined centre or one allocated in an up to date development plan.
- The sequential approach to site selection.
- Impact on existing centres.
- Rate of take up of allocations in any adopted development plan.
- Accessibility by a variety of modes of travel.
- Improvements to public transport.
- Impact on overall travel patterns.
- Best use of land close to any transport hub in terms of density and mixed use.

Chapter 13 sets out planning policy on managing environmental risk and pollution.

Section 13.12 (Development Control and improving the quality of Water and Air) confirms that the potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission.

Section 13.15 (Development Control and Noise and Lighting) confirms that noise can be a material consideration. Local authorities can attach conditions to planning permissions for new developments that include the design and operation of lighting systems and prevent light pollution.

#### **Technical Advice Note (TAN) 4 Retailing & Town Centres**

Provides detailed guidance in the consideration of retail proposals including general detailing, impact assessment, car parking standards, environmental assessment, notification procedures etc.

#### **Technical Advice Note (TAN) 5 Nature Conservation & Planning.**

Provides advice on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

### **Technical Advice Note (TAN) 11 Noise.**

Advises on how the planning system can be used to minimise the adverse impacts of noise without placing unreasonable restrictions on development.

### **Technical Advice Note (TAN) 12 Design**

Advises on good design

Paragraph 2.2. Indicates that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development and social inclusion at every scale throughout Wales.

Paragraph 4.16 Indicates that achieving good design is the responsibility of all those involved in the design process. It is the physical expression of the design objectives (development on the ground) that impacts on the quality of our lives and is the focus of judgement of whether the design objectives have been successfully achieved.

### **Technical Advice Note (TAN) 15 Development & Flood Risk.**

Provides technical guidance in relation to planning and flooding.

### **Technical Advice Note (TAN) 18 Transportation.**

Describes how to integrate land use and transport planning and describes how transport impacts should be assessed and mitigated.

### **Technical Advice Note (TAN) 22 Sustainable Buildings**

Provides advice on sustainable buildings and the standards of assessment, the design solutions that may be used to meet these standards and design guidance in providing low carbon buildings.

## **PLANNING CONSIDERATIONS**

This is an outline application for the development of a supermarket with all matters other than the principal site access reserved for future consideration. The site is located south of the existing route of the A465(T) at Hirwaun.

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that the application be determined in accordance with the Local Development Plan unless material considerations indicate otherwise.

The key Local Development Plan policies are set out above. The principal issues are considered to be planning policy, retail need, masterplanning issues, highway & access, visual & Landscape, amenity & aesthetics and ecology.

Inevitably, applications of this size and complexity will raise issues in favour of and against and these matters are dealt with below under a series of sub headings.

As this is an outline application there is no attempt in the design and access statement to evaluate design. The statement relies on the logic of the location of the site as justification in itself for the proposal. There is no consideration as to whether or not other parts of the wider NSA 8 site might prove more suitable for the development currently proposed. However, the location is undeniably that best suited for the provision of retail development in the wider allocation. This is so as it lies centrally on the road frontage of the existing line of the A465(T) close to the established settlement of Hirwaun with existing footway links established through the subway. It is close to established development and would be central to the NSA 8 site as it develops.

### Planning policy

The application proposes the development of 4.3 hectares of land for a new 3250sq.m foodstore and car parking. The site forms part of the much larger NSA 8 allocation. The application site accounts for only 10 % of the total area of the residential allocation. The proposed foodstore has a net floorspace approximately 66% larger than that allocated by policy NSA 8.

In support of the application, the applicants planning and retail statement states:

*“1.4 The applicant controls the majority of land covered by Policy NSA8. As such, he is in a unique position to be able to deliver a substantial element of NSA8.”* The statement continues *“1.5 This application is the first of a number of proposals which will be brought forward on the surrounding sites in the near future, which, cumulatively, will deliver NSA8.”* And *“1.6. The application proposals are for a retail foodstore with a net floor space of 3,250sq.m. The provision of a store larger than the allocation is required to meet the identified qualitative need for the existing and future population of Hirwaun and surrounding area. The additional floorspace is necessary to fund the delivery of key elements of the infrastructure required to facilitate the delivery of the wider NSA8 allocation.”*

Despite discussions taking place with the applicant at both pre application and application stage no substantive evidence has been presented to demonstrate how this application will contribute to the delivery of NSA8. The application is not supported by a masterplan or a phasing plan which links this proposal with the development of the wider site.

From a policy perspective the absence of a comprehensive strategy for the development of the site is a significant area of concern. In the absence of this information it is difficult to support the applicant's assertion that the proposal is necessary to fund the delivery of key elements of the infrastructure or the first of a number of proposals that will bring forward the strategic site.

To all intents and purposes this is a stand alone application and should be considered accordingly.

However it is stressed that this does not place it at odds with the policy requirements of the Local Development Plan. As stated above, the NSA 8 site does have an allowance for retail development and the proposed development performs well against the key criteria set out in policy AW 2 in as much as,

- It is located within the northern strategy area within settlement limits.
- It is potentially accessible by a range of sustainable transport options.
- It has good access to key services and facilities.
- It is not located within Zone C of Natural Resources Wales' development advice maps.
- It is considered to support the roles and functions of the County Borough's principal towns, key settlements and small settlements.
- It would support the development of the 8 strategic sites,(though not as the LDP initially intended).
- It is well related to existing water, sewerage, waste, electrical, gas and telecommunications infrastructure.

Similarly the proposal does not raise any great concerns in respect of LDP policies AW 5 & 6 in terms of access, amenity and design

### Retail Need

The LDP identifies a requirement for a new store in Hirwaun to meet retail need during the plan period. In doing so the LDP through policies NSA 8 and 17 allocates Strategic Site 5 – Land South of Hirwaun for the development of 2,000sqm (net) of new retail floor space.

The application proposes the development of retail store (3250sqm net floorspace), car parking and associated infrastructure works on part of the Strategic Site. In support of the proposal the applicant argues that the provision will fund the delivery of key elements of the infrastructure required to facilitate the delivery of the wider NSA 8 allocation.

In addition to this application, the Council is in receipt of an application for the erection of foodstore (Class A1, 1,898sqm net), petrol filling station on the Former Ferrari's Bakery site in Hirwaun (11/1459/10) and the development of a foodstore (Use Class A1. 3422 sq m. net), petrol filling station and car park at Universal Furnishings site, Wellington Street, Robertstown, Aberdare (12/0637/13).

In order to undertake a detailed analysis of the retail impact assessment presented by the applicant as part of the application process, the Council has sought the advice of Nathaniel Lichfield and Partners (NLP). The advice provided to the Council by NLP in May 2013 looks at all the application sites both individually and assesses the cumulative impact of the proposal when

assessed in conjunction with application 11/1459/10 and 12/0637/13. The assessment includes a review the following:

- Quantitative Need;
- The sequential approach; and
- Retail Impact.

The findings of the review indicate in summary –

*‘that in retail planning terms, each foodstore proposal exceeds the quantitative need for a store in Hirwaun or Aberdare when the NSA 8 local centre designation and Robertstown CLEUD are taken into consideration.*

*The degree of over provision, however, is not so great that should the Council consider there to be planning benefits associated with any of the developments, such benefits could not outweigh the quantitative need consideration. Indeed, if the Robertstown premises that benefits from a CLEUD for open A1 use does not convert to a foodstore, then there would be sufficient quantitative need for this proposal to come forward on its own (but not sufficient capacity for more than one of the three stores now proposed)*

*These are unusual circumstances in which it would be reasonable to permit two or more of the applications in the expectation that only one will come forward. However, in the unlikely event that more than one store come forward, the inability of stores to trade at benchmark levels does not need to lead to an automatic reason for refusal. NLP consider it unlikely that any main stores would close as a result of trading at such levels below benchmark, but it may affect the store’s ability to invest in improvements. “*

On the basis of the advice provided by NLP it would seem reasonable for a decision to be made that recommends approval of both application 12/0183/13 and 11/1459/10 and allow the market to decide which is the most appropriate to develop.

Should the market decide to support the development on the Land South of Hirwaun, then a store will be constructed that meets the needs of the settlement of Hirwaun and accords with the requirements of the LDP.

Should the market decide to support the development on former Ferrari’s site the Land South of Hirwaun, then a store will be constructed that meets the needs of the settlement of Hirwaun and this also leaves sufficient retail capacity for additional retail development to take place on the strategic site. This approach accords with the requirements of the Local Development Plan.

In conclusion on the planning policy issue the application proposes the development of a foodstore on part of the strategic site allocated under policy NSA 8 of the Local Development Plan. In doing so, the applicant seeks to make a link between the size of the proposed foodstore and the future delivery of the strategic site. No evidence has been presented to support this assertion. To all intents and purpose this is a stand alone planning application and should be considered accordingly.

However, the development of a foodstore of the size proposed in this application will assist in meeting the strategic objectives of the Local Development Plan by providing improved retail facilities and by promoting diversity in the economy of the key settlement of Hirwaun.

Subject to the imposition of conditions which seek to restrict the level of convenience and comparison goods floorspace (net) to that which have been applied for in the application would be compliant with planning policy.

#### The delivery of the Strategic Site 5 – Land South of Hirwaun.

If this proposal for this site is approved and developed as a food store it will deliver the intended retail element of the NSA 8 site plus a substantial amount of additional retail floorspace.

However, the strategic site is a large scale allocation intended to provide 400 houses along with 36 hectares of employment land. As an integral part of the intended development the Local Development Plan identifies the need for a new primary school and a local centre to include retail, commercial and medical/community facilities.

The retail element of the centre is intended to provide a store of 2000 sq m. comprising 1000 sq m. convenience and 1000 sq m. comparison goods floorspace. It was never the intention that the development of the strategic site (NSA 8) should be retail lead rather than the retail element supports the principal activities proposed for the site. With the much larger foodstore now proposed this would potentially remain the case.

There is no evidence to suggest that developing the site in the manner now proposed by this application would impact adversely on the ability of the wider strategic site to be developed. However this would remain the case if either of the competitor sites were developed, as there would still be capacity for the delivery of the retail element for this site as set down by the Local Development Plan.

#### Masterplan

Through the course of the consideration of this application, officers have sought a masterplan which illustrates how the wider strategic site might be brought forward, in a manner which includes the current proposal and does not prejudice the development of the remainder of the site. The applicants have sought the advice of Powell Dobson in developing a masterplan for the site. This has been provided and it demonstrates how the site might come forward with the current supermarket proposal with the balance of the site set to other land uses and on paper it is clear that a physical solution could be found. However, a multiplicity of land ownerships across the wider site and complications brought about by the ecology of the wider site could potentially make the agreement and implementation of this masterplan problematic.

Notwithstanding this latter point legal advice in the matter has been clear that there is no necessity to tie the two together.

### Ecology

From a policy perspective, there is a requirement to demonstrate that the proposal will not prove harmful to the sensitive ecology of the wider area, including the Blaencynon SAC and other SINC sites in the locality. In order to accord with the requirements of Policy AW8, the applicant must agree an appropriate and deliverable mitigation. It is a matter for the Council's Ecologist, in discussion with the relevant statutory agency, to determine if the appropriate mitigation can be achieved and therefore if the proposed development accords with the requirements of Policy AW8 of the Local Development Plan.

The initial application was accompanied by an ecological assessment prepared by Barry Stewart & Associates which contained a vegetation survey and assessment and a scoping assessment for protected species. The surveys were undertaken to Nature Conservancy Council standards and identified all flora and fauna present or likely to be present at the site. The study then went on to consider the likely impacts of site development on protected fauna only, the site not having any significant protected flora. No badger was found on site and there was no evidence of any setts on site or within 30 metres of it. No trees or other features were identified where bats might find potential roost opportunities. Where birds are concerned, no fully protected species were recorded, the hedgerows to the boundaries of the site hold only limited foraging potential for these species. Other bird species with lesser levels of protection known to or likely to breed within or adjacent to the site are considered unlikely to be significant even in a local context.

At the time of the initial survey (October 2011) the site had been recently ploughed over and there was no evidence that the application site would be likely to support suitable habitat for the European protected Marsh Fritillary Butterfly. However, as the flora on the application site re established itself it became clear through further survey work that the site clearly has the potential to support the wider butterfly meta population

The principal concern in respect of the ecology of the planning application site became that much of it contains Devil's Bit Scabious which is the larvae food plant of the Marsh Fritillary Butterfly, which is a European Protected Species. If this site is to be lost to the butterfly then the loss needs to be off set by the creation of new or improved provision elsewhere. The applicant has submitted a plan of land in his ownership elsewhere on the NSA 8 site showing 2 acres (0.809 hectares) of land that he is willing to make available for translocation and improvement purposes to meet the feeding needs of the Marsh Fritillary Butterfly larvae to off set any losses associated with the development of the current site. Additionally the applicant has indicated a willingness to secure a grazing licence for five years on land outside of the site and in the ownership of a third party which will secure an area of land that is high quality Marsh Fritillary Butterfly habitat for the transitional period while the site is developed.



This would act as an insurance policy with regard to the translocation of existing habitat to the designated compensatory areas. Natural Resources Wales regard this as fundamental to the acceptability of the proposed development in ecological terms. Subject to conditions and suitable legal agreements NRW are now satisfied with the approach adopted. In light of this approach the application can be regarded as compliant with the requirements of Policy AW 8 of the Rhondda Cynon Taf Local Development Plan.

The application site is located in close proximity to the Blaen Cynon SAC and consideration should therefore be given to the requirements of the Habitat Regulation

The application site is identified by Policy AW8.10 as a Site of Importance for Nature Conservation (SINC). The development proposals for all sites which have ecological value are assessed in accordance with the requirements of Policy AW 8

The development of the site will impact on the designated SINC and the applicant has submitted ecological information which assesses the potential impact. As part of this process ecological mitigation measures have been proposed and have been considered by Natural Resources Wales.

In order to accord with the requirements of Policy AW8, the applicant must agree appropriate and deliverable mitigation. It is a matter for the Council's Ecologist, in discussion with the relevant statutory agency, to determine the appropriate mitigation can be achieved and therefore if the proposed development accords with the requirements of Policy AW8. After many months of negotiation on this issue, an area suitable for mitigation that would off set the adverse impacts of the current proposal has been submitted and agreed and no policy objection on the basis of AW 8 arises.

In conclusion on this point the application is compliant with Local Development Plan policy AW 8 in and of itself as a SINC and consequently in terms of its impact on the SAC.

### Highways & Access

Members should first note that the Welsh Government's Roads and Projects division does not object to the proposed development on the basis that access to the site is derived via a left in, left out junction arrangement with the A465(T) Heads of the Valley's Road and the agreement of the internal layout of the proposed development, the Agreement under Section 278 of the Highways Act of further works and road traffic orders affecting the trunk road, the commissioning and implementation of a road safety audit and the agreement of signage.

The above will take care of the nationally strategic highway requirements for as long as the access remains on to the Trunk Road network. When the by pass for the Heads of the Valleys Road is completed the existing road will be taken off the trunk road network and responsibility for it will pass to the Local

Authority, and it is at this point that it might become possible or necessary to consider further alterations to the access arrangements particularly if the balance of the housing on this site is to be serviced via the same junction arrangement.

The Transportation Section have had extensive negotiations with the developer's agent through the course of the current planning application and have offered the following advice,

With regard to highway junctions affected by the proposed development the following junctions were assessed –

- A465 (T) / A4059 / A4061 Rhigos Road roundabout;
- A465 (T) / A4059 Hirwaun Road / Brecon Road roundabout; and
- New development access junction on the A465.

The analysis undertaken results in nil detriment on the above junctions that incorporate improvements to the Brecon Road arm and A465 south-west arm of the A465 (T) / A4059 Hirwaun Road / Brecon Road roundabout. These improvements relate to a two lane entry to increase capacity on the approach to the south-west arm of the A465 (T) / A4059 Hirwaun Road / Brecon Road roundabout and amended road markings and amended arrows on the approach to the Brecon Road arm of this roundabout.

A review of the methodology carried out and results shown determined that they are considered acceptable although the approving body in terms of impact and mitigation would fall on the Welsh Government who are responsible for the A465 (T) and its associated junctions.

In respect of the road safety issue the nature and severity of accidents in the vicinity of the development site have been considered and it is concluded that all of the accidents identified in the clusters have been caused by driver error or injudicious action. It is on this basis that due to the causes of the accidents, that no improvements to the existing highway network being proposed is considered acceptable.

With regard to the parking issue it should be noted that this is an outline planning application with only the access issue to be considered at this stage. As such there are no layouts to be considered or evaluated for parking. A store of the size proposed would be required to provide up to somewhere in the order of 330 parking spaces there is sufficient space to provide this within the application site and how it is achieved to a satisfactory standard would be a matter for any future reserved matters planning application.

In respect of access it is intended to provide initially for a T-junction (left in / left out) on the existing A465 trunk road to serve the proposed retail store site . A roundabout is to be provided at a later stage when this section of road is downgraded as a result of the proposed re-alignment of the A465(T) which is considered acceptable. The provision of a roundabout at that stage would have the road safety benefit of acting as a traffic calming measure to reduce

the speed of traffic along a relatively straight section of highway in terms of horizontal geometry.

The access into the site at this point would provide for future links to proposed areas for education, housing and sports facilities to the west and north of the new A465(T) alignment and housing areas to the east and south of this road corridor which is considered acceptable in principle.

No access off the A4059 Hirwaun Road should be considered at this stage as this would jeopardise the delivery of the proposed re-alignment of the A465 and associated highway improvements. Therefore, a condition is suggested that prevents this from happening until after construction of this bypass scheme.

A pedestrian link from the surrounding residential area via Caswell Close, Hirwaun north of the existing A465 is to be provided that utilises the existing link to the existing recreational facilities south of this road which is considered acceptable in principle subject to detailed design and approval.

However, a footpath link should also be provided along the southern boundary of the A465 when it is declassified to provide a desirable route to the foodstore and community hub, primary school and other local amenities from the direction of the A4059 Hirwaun Road as well as to encourage use of sustainable modes of travel by residents.

Issues relating to public transport matters would be subject of reserved matters submission should this application prove successful. Nonetheless, the following requirements are set out for any prospective developer.

The site is not well served by public transport and as such would be an entirely a car-borne development. This is not acceptable to the Highway Authority and, therefore, the developer should provide public transport infrastructure including for up to 5 years public transport provision to encourage greater use of more sustainable modes of travel.

The provision of a bus lay-by to cater for public/community transport should be located close to the entrance of the store and a swept path analysis undertaken to demonstrate that buses can enter and leave the site in forward gear for consideration and approval.

Infrastructure supporting public transport should incorporate a 6.75m wide carriageway, bus shelters, bus boarders, flags and poles together with widening the footway where shelters are provided to 3m.

A travel plan is required to reduce the number of car-borne journeys to and from the store. As the end user of the store is not yet known, it is not yet possible to set targets for the travel plan and as a result an appropriate condition is suggested

The additional trip rates for the transport tariff payment have been worked out using the mechanism described in the Council's supplementary planning guidance and this delivers a figure of £140,718.

In light of the above the proposed development is considered to be in compliance with the requirements of Local Development Plan policies CS 1, AW 2, AW 5, AW 6 and NSA 8 insofar as they relate to highway and transportation matters.

### Visual & Landscape Issues

The application site sits to the south of the existing route of the A465(T) Heads of the Valleys Road. It occupies undeveloped land in open countryside with only the local park and playing field lying adjacent to it. Given this context, the development of a building as large as a supermarket, particularly one that will initially stand in isolation would have a substantive impact in the local landscape and would have a considerable visual impact. As this is only an outline planning application, there are no details to evaluate at this time. Additionally it should be kept in mind that this application site forms part of a wider strategic site allocated for development by the Local Development Plan and in this context the site will eventually become part of an expanded Hirwaun that would read visually as a whole and would be clearly contained within the wider landscape. Consequently it would not be appropriate to raise the visual and landscape impacts of the proposed development against the current application. However, any future reserved matters submission for a supermarket will need to demonstrate in detail how the proposed building would relate to existing and proposed development, appropriate orientation and arrangement, a sound relationship with areas of public and private space (including the established recreational facilities), and how existing and proposed linkages and routes will relate to the proposed supermarket. These are issues that the master planning undertaken to date failed to properly address and that will need to be dealt with if the detailing of the current proposal is to be properly addressed should outline planning permission be granted. There is though no need for this information at this stage. Consequently, the proposal is considered to be compliant with the requirements of Local Development Plan policies CS 1, AW 5 and AW 8 inasmuch as it relates to this issue

### Amenity issues

Given the nature of the application as a supermarket and its proposed location south of the Heads of the Valleys Road, it is not considered that the proposal would generate any substantive amenity issues for the local population or the wider locality that would warrant an adverse recommendation. Supermarkets are not great generators of noise when they function and this proposal would be separated from established residential development in the area by the existing line of the A465(T) Heads of the Valleys road, and by substantial areas of open ground from other outlying residential properties.. However, the construction phase of development would necessitate conditions to restrict hours of operation. Similarly,

supermarkets once complete are not generators of dust problems and any issues around dust through the development of the site would be controlled through other legislation. As such the proposal is considered to be compliant with the requirements of Local Development Plan policies AW2, AW5 and AW10.

### Aesthetics

As an outline application there are no design specifics that relate to any building that might come forward for the site. The key here will be ensuring that the site delivers a quality design appropriately orientated at the detailed submission stage should this application prove successful, having particular regard to matters referred to above in a visual context.

### Conclusion

From a purely planning policy perspective the application proposes the development of a foodstore on part of the strategic site allocated under policy NSA 8 of the LDP. In doing so, the applicant seeks to make a link between the size of the proposed foodstore and the future delivery of the strategic site. No evidence has been presented to support this assertion. To all intent and purpose this is a stand alone application and should be considered accordingly.

However, the development of a foodstore of the size proposed in this application will assist in meeting the strategic objectives of the Local Development Plan by providing improved retail facilities and by promoting diversity in the economy of the key settlement of Hirwaun, and as such sufficient information has now been provided to satisfy the requirements of planning policy

Highway matters in respect of the proposed development have been satisfactorily resolved through the initial transportation assessment and subsequent addendum. As such the proposed foodstore is now considered acceptable in terms of its impact on the trunk road, strategic highway and local highway network.

Landscape, visual and amenity issues have been satisfactorily resolved and the proposed development presents no major issues in this regard.

Subject to the satisfactory imposition of conditions which seek to restrict the level of convenience and comparison goods floorspace (net) to that which have been applied for in the application, there is no policy objection to the proposal individually or as part of the group of three.

### **RECOMMENDATION**

**Approve the application subject to**

- The application being notified to the Welsh Government under the requirements of the “Shopping Direction” (Welsh Office Circular 61/93) before the permission is issued.
- The recommended conditions as set out below.
- The applicant first entering into a legal agreement under Section 106 of the Town & Country Planning Act 1990 to secure a transport tariff contribution of £140,718, The provision of an ecological enhancement plan along with financial contributions for the management and maintenance of the site for a period of 25 years relating to areas designated as habitat for the Marsh Fritillary Butterfly, and The developer meeting the Council’s reasonable legal costs in the preparation of the section 106 agreement.

**RECOMMENDATION: Grant**

1. (a) Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter referred to as the “reserved matters”) Shall be obtained from the Local Planning Authority in writing before any development is commenced.  
  
(b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout scale and appearance of any building to be erected and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
  
(c) Applications for the approval of the reserved matters shall be made before the expiration of three years from the date of this permission.  
  
(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of five years from the date of this permission or (ii) the expiration of two years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

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

2. Before the submission of the application for the approval of reserved matters a detailed site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage that might arise as a result of ground conditions. The development hereby permitted shall be carried out in accordance with the approved site investigation report.

Reason: The site may be unstable and as such a stability report is required

in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

3. There shall be no outside storage whatsoever on the site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the visual amenity of the area in accordance with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

4. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with condition 1 above, shall contain indications of all existing trees 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 AW & AW 6 of the Rhondda Cynon Taf Local Development Plan.

5. All details of planting seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development whichever is the sooner, and any trees or plants which within a period five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of similar size and species unless the Local Planning Authority gives its 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 & AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Building operations shall not be commenced until samples of the external finishes 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 samples so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area in the interest of visual amenity in accordance with policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

7. Construction works on the development shall not take place other than during the following times unless the Local Planning Authority gives its written consent to any variation:

- (i) Monday to Friday – 0800 to 1800 hours
- (ii) Saturday – 0800 to 1300 hours.
- (iii) Not at any time on Sundays, bank or public holidays.

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

8. No Development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. The development hereby approved shall not be brought into beneficial use until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No indicative masterplan or indicative layout plan is approved as part of this planning permission and no development whatsoever shall take place on the parcel of land outlined red located south west of Trewaun and north east of Roseville bungalow and its associated nursery as part of the development hereby approved.

Reason: To define the extent of the consent hereby granted.

11. There shall be no vehicular access to or from the A4059 Hirwaun Road until after the construction of the realignment of the A465(T) and associated highway improvements.

Reason: To ensure that the delivery of the realignment of the A465(T) is not jeopardised by the proposed development.

12. Notwithstanding the submitted drawings, full engineering design and details, together with relevant road safety audits and designer's response of the new access off the A465(T) including longitudinal and cross sections, drainage, lighting, highway structures and the improved pedestrian link via Caswell Close shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. These proposals shall be in compliance with the current requirements of the Design Manual for Roads & Bridges (HMSO). The approved scheme shall be implemented to the agreed standard prior to the beneficial occupation of any building on the proposed development site.

Reason: To ensure the adequacy of the proposed development in the interests of highway safety.

13. Notwithstanding submitted details, highway improvements to the A465(T)



/A4059 Hirwaun Road/Brecon Road roundabout together with road safety audits and designers response shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved scheme shall be implemented to the agreed standard prior to the beneficial occupation of any building on the proposed development site.

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

14. A shared cycle/pedestrian link shall be provided along the declassified section of the A465(T) to provide satisfactory connectivity and encourage sustainable modes of travel. The engineering design and details of this proposal shall be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on site. The approved scheme shall be completed to the agreed standard prior to any works commencing on the land to the south of the realigned a465(T).

Reason: To ensure a reduction in road traffic and the promotion of sustainable modes of travel in accordance with relevant local and national planning policies.

15. Notwithstanding the submitted details full engineering design and details of the internal access, parking, circulation pedestrian, cyclist and public/community transport facilities, including longitudinal and cross sections, drainage, lighting and highway structures, together with relevant road safety audits and designer's response shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be completed to an agreed standard prior to beneficial occupation of the development hereby approved.

Reason: To ensure the adequacy of the proposed development in the interests of highway safety, free flow of traffic and accessibility by all modes of travel.

16. Upon completion of the realignment of the A465(T) and subsequent to the declassification of the existing alignment, the left in/left out access off the A465(T) shall be converted to a roundabout as shown on drawing no. CG/5867/ PA/05 or traffic signal junction incorporating pedestrian phasing, such details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The engineering design and details shall be in compliance with the Design Manual for Roads & Bridges (HMSO) and approved in writing by the Local Planning Authority Prior to works commencing on site. The approved design and details shall be implemented to the agreed standard prior to any development taking place on the southern side of the realigned A465(T).

Reason: To ensure the adequacy of the proposed development in the interests of highway safety.

17. The proposed distributor road/bus link shall be at least 6.75m wide with 2m

footways either side that incorporates bus stops with bus boarder facilities together with associated shelters, flags and poles unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a reduction in road traffic and the promotion of sustainable modes of travel in accordance with relevant local and national planning policies.

18. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local planning Authority to provide for -

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

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

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

19. Within six months of the beneficial occupation of the food store a travel plan comprising measures to promote and encourage alternatives to single occupancy car use shall be submitted to and approved in writing by the Local Planning Authority. The travel plan should include details of the travel plan coordinator, proposals for setting and monitoring targets (including use of public transport, walking, car sharing and cycling) and financial penalties if targets are not achieved. The travel plan shall be implemented in accordance with the details approved in this condition unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure optimum provision for a range of alternative travel modes to and from the site in the interests of sustainability.

20. No development shall take place until the applicants, their agent or their successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

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.

21. No development shall take place unless a scheme has been submitted to

and approved in writing by the Local Planning Authority, including proposed mitigation, design details and development programme with respect to -

- a) Protection of open and culverted sections of the existing watercourse during and after construction.
- b) Protection of properties downstream of the development from increased flood risk during and after construction owing to the development, and;
- c) protection of property within the development from flood risk.

Reason: To ensure the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining property and the environment with respect to drainage.

22. No works whatsoever shall take place in respect of the development hereby approved (other than any works necessarily associated with the translocation of Marsh Fritillary Butterfly Habitat) until all works necessary to compensate for the loss of Marsh Fritillary Butterfly habitat have been satisfactorily completed.

Reason: To ensure that any adverse ecological impacts that might result from the proposed development are adequately compensated and to comply with the requirements of Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

23. No Works whatsoever shall take place in respect of the development hereby approved until the applicant has secured a grazing licence for the area of land shown on Capita Symonds change of land licence plan no. CG/5687/PA/10 June 2013.

Reason: To ensure that any adverse ecological impacts that might result from the proposed development are adequately compensated and to comply with the requirements of Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

24. The store shall not exceed 3250 sq m. (net) floorspace and shall not be subdivided into separate retail units or any element of mezzanine level provided without the further consent of the Local Planning Authority.

Reason: In order to define the extent of consent granted and to ensure that the development accords with the retail assessment undertaken.

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**LOCAL GOVERNMENT ACT 1972**

**as amended by**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LIST OF BACKGROUND PAPERS**

**DEVELOPMENT CONTROL COMMITTEE**

**2 APRIL 2015**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATION NO. 12/0183  
ERECTION OF A CLASS A1  
RETAIL STORE, CAR PARKING,  
NEW SITE ACCESS AND  
ASSOCIATED INFRASTRUCTURE  
WORKS, LAND SOUTH OF  
HIRWAUN, ABERDARE.**

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**See Relevant Application File**