

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2017-2018:

**PLANNING & DEVELOPMENT
COMMITTEE
2 NOVEMBER 2017**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No.5
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the conditions outlined in Appendix 1.

1. Application No - 16/1151 - Demolition of redundant nursery buildings to provide extension of retail store car park to provide an additional 34 spaces (114 in total) (amended site layout plan received 26/09/17), Lidl Foodstore, Rhondda Road, Pontypridd.
2. Application No - 17/0102 - Construction of 3 no. 3 bed houses (amended site location plan with reduced boundary received 12/07/17), land at Bryngolau, Tonyrefail, Porth.
3. Application No - 17/0753 - Removal of existing building and construction of retaining wall to provide for an extension of the adjacent Dinas Community Recycling Centre, Dinas Dog Pound, Cymmer Road, Dinas, Porth.
4. Application No 17/0822 - Change of use from A2 Estate Agent to A3 Cafe, Lloyd Taylor Simpson, 66 Park Street, Treforest, Pontypridd.
5. Application No 17/0923 - Proposed Alterations & Extension to Existing Day Care Centre to Form Community Hub. Works to include cladding of external envelope, alterations to car parking and boundary treatments. Internal alterations including formation of a GP Surgery, Day Care Nursery and Extension of Structure to create additional ancillary D1 Use Class Office Space (Coal Mining Report Received 21/09/17), St Mairs Day Centre, Seymour Street, Aberdare.
6. Application No 17/0990 - Proposed Alterations & Extension to Existing Day Care Centre to Form Community Hub. Works to include partial cladding of external envelope, alterations to access, car parking and boundary treatments. Internal alterations including

formation of a GP Surgery, Day Care Nursery and Extension of Structure to create additional ancillary D1 Use Class Floor Space. Conversion of Former First Floor Caretakers Flat to Ancillary D1 Use Office Space. (Scheme B) (Coal Mining Report Received 21/09/17), St Mairs Day Centre, Seymour Street, Aberdare.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 16/1151/10 (MF)
APPLICANT: Lidl UK GmbH
DEVELOPMENT: Demolition of redundant nursery buildings to provide extension of retail store car park to provide an additional 34 spaces (114 in total) (amended site layout plan received 26/09/17).
LOCATION: LIDL FOODSTORE, RHONDDA ROAD, PONTYPRIDD, CF37 1TF
DATE REGISTERED: 26/09/2017
ELECTORAL DIVISION: Rhondda

RECOMMENDATION: Approve

REASONS:

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and its potential impact upon the amenity of the neighbouring properties. Further, the development would have no undue impact upon highway safety in the vicinity of the site and would actually improve some of the current parking issues experienced in the locality.

REASON APPLICATION REPORTED TO COMMITTEE

This application is reported to Committee as three letters of objection were received following the consultation process.

APPLICATION DETAILS

Full planning permission is sought for the extension of the existing car park at Lidl Foodstore, Pontypridd. The works would involve the demolition of two redundant nursery buildings at the north-west corner of site, between the store and the adjacent Ysgol Gynradd Gymraeg Evan James, and the hard surfacing of the resulting space to provide an additional 34 no. parking spaces (114 in total). No significant engineering works are required given the relatively flat nature of the plot. Access would be gained from the existing internal car park feeder roads.

SITE APPRAISAL

The application site forms a roughly rectangular plot at the north-western corner of the stores existing car park area. It is currently occupied by two portakabin type units and an associated yard area that were previously in use as a children's day nursery. The previous use ceased operation a number of years ago and the site is now overgrown and buildings in a poor state of repair.

The plot is level throughout and enclosed with a mixture of Palasade and close board fencing along the northern, southern and eastern boundaries. A band of mature trees line the western boundary of the site which also forms the bank of the River Rhondda. The river bank is located within the Taff and Rhondda Rivers SINC. To the east and south the site is bounded by the wider store car park. Ysgol Gynradd Gymraeg Evan James is located immediately to the north. Access is gained off Rhondda Road to the east via the existing store/school shared access.

PLANNING HISTORY

Previous planning applications submitted at the application site within the last 10 years:

15/1006	Lidl Foodstore, Rhondda Road, Pontypridd	Advertisement scheme	Granted 07/09/15
13/0547	Millfield Depot, Rhondda Road, Pontypridd	Demolition of existing buildings and redevelopment to provide a Lidl foodstore with associated car parking, access and servicing	Refused 25/02/14 Appeal allowed 19/12/14

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. Three letters of objection have been received, making the following comments (summarised):

- The car park extension would lead to additional vehicles entering/exiting the site in close proximity to the school entrance. This access is already severely congested during the mornings and afternoons when parents are dropping off/picking up their children.
- Many parents use the stores car park whilst dropping off/picking up their children however there is no formal crossing between the store car park and the school. A pedestrian crossing should be installed as part of the development.
- The emergency vehicle access to the rear of the school would be blocked by the proposed car park.
- The car park extension would result in members of the public being able to look in to the school grounds.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Land Reclamation and Engineering – no objection, subject to conditions.

Public Health and Protection – no objection, subject to conditions.

Countryside, Landscape and Ecology – no objection, subject to condition.

Natural Resources Wales – no objection.

The Coal Authority – no objection, subject to condition.

Dwr Cymru/Welsh Water – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy CS2 – sets out the criteria for development in the Southern Strategy Area.

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

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

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

Policy AW8 – states that Rhondda Cynon Taf’s distinctive natural heritage will be preserved and enhanced by protecting it from inappropriate development.

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy SSA13 – sets out the criteria for the consideration of development proposals within the settlement boundaries.

Supplementary Planning Guidance

- Design and Placemaking;
- Nature Conservation;
- Access, Circulation and Parking Requirements.

National Guidance

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

Planning Policy Wales Chapter 2 (Local Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), Chapter 8 (Transport) and Chapter 10 (Retail and Commercial

Development) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

- PPW Technical Advice Note 4: Retail and Commercial Development;
- PPW Technical Advice Note 5: Nature Conservation and Planning;
- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 15: Development and Flood Risk;
- PPW Technical Advice Note 18: Transport;
- PPW Technical Advice Note 23: Economic Development.

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 proposes the extension of the existing staff/visitor car park at an existing retail store in order to provide improved services for staff and visitors whilst removing on-street parking in the locality. The application site is located within settlement limits and lies directly adjacent to an established commercial site where such development and activities are commonplace. Therefore, in principle, the proposed development is acceptable, subject to an assessment of the criteria identified below.

Visual Impact

The application proposes the extension of the car park at this existing retail store. Whilst the development would inevitably form a visible feature within the site, given its siting and the minimal engineering works required, it is not considered the works would appear overly prominent or out of keeping within the wider locality. Additionally, given the minor nature of the proposed works and the relationship the resulting car park would have with the adjacent existing car park, the development would form a continuation of the existing site and would not be readily visible from outside of the retail park. Furthermore, it is also noted that site is currently overgrown and in a poor state, as such its redevelopment would significantly improve its current visual appearance.

Therefore, in the context of the wider site, the proposal represents a relatively modest alteration that is required in order to improve the current facilities at the site and parking arrangements within the locality. As such, it is not considered that the

development would result in the formation of a prominent feature that would be harmful to the character and setting of the application site or the wider locality and the application is therefore considered acceptable in this regard.

Residential Amenity

There are no residential properties within close proximity of the application site with the nearest being located over 100 metres away. As such, the proposal would not impact upon the amenities of the nearest residents.

It is acknowledged however that the application site is bounded by a primary school to the north and therefore the proposed development has the potential to result in a degree of impact upon this neighbour, as detailed by the objectors. However, it is considered the school would be accustomed to the operation of the site as a retail store and a degree of associated disturbance. Further, whilst the objectors have commented that the resulting car park extension would allow members of the public to look in to the school grounds, given the low height of the existing boundary walls surrounding the school, a degree of overlooking already occurs not only from the retail store car park but also along all other boundaries. Therefore, given the minor nature of the proposed car park extension, it is not considered the creation of an additional 34 parking spaces at the site would result in any further overlooking in comparison to that which currently occurs. The application is therefore considered acceptable in this regard.

Highway Safety

It is noted that a number of comments have been received from the objectors in respect of highway safety. Whilst these comments are acknowledged, following consultation, the Council's Transportation Section raised no objection to the scheme subject to a number of standard conditions being attached to any consent in respect of HGV delivery times, wheel washing and surface water drainage. As such, it is considered the scheme is acceptable in respect of its potential impact upon highway safety.

With respect to the comments made by the objectors in regards to a formal pedestrian crossing being installed between the existing car park and the adjacent school, any such facility would have to be located outside of the current application site and therefore cannot be taken in to consideration during the determination of this application. Further, during their consideration of the application, the Transportation Section noted that the existing pedestrian and vehicular access to the main store car park is acceptable and the proposed car park extension will be accessed via the existing store car park with no changes proposed. Additionally, the extra parking provision at the store would actually be of benefit to both customers of the store and parents dropping off/picking up children at the adjacent school by providing further off-street spaces. As such, whilst such a facility would be welcomed, the existing pedestrian and vehicle access to/from the site and to the adjacent school are considered acceptable

It is also noted that the objectors have commented that the vehicle access to the rear of the school would be blocked by the proposed car park, however, following consultation with the applicant amended plans were received on 26/09/17 which

detailed that 2 no. spaces would be removed along the northern boundary of the site ensuring that the emergency access to the rear of the school would remain following development. The application is therefore considered acceptable in this regard.

In light of the above highways assessment and alterations made by the applicant, it is not considered that a proposal of this nature would impact upon highway or pedestrian safety within the vicinity of the site. Instead the proposal would actually improve the current situation. The application is therefore considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site.

Tree and Ecology

It is noted that the western boundary of the site is lined with mature trees and that the land beyond forms the bank of the River Rhondda and is within the Taff and Rhondda Rivers SINC. The applicant originally proposed a number of trees along this bank be removed in order to accommodate the car park extension. However, following consultation with the Councils Ecologist a number of issues in this respect were raised and the applicant therefore amended the site layout on 26/09/17 whereby 3 no. parking spaces were removed from the scheme along this boundary to ensure that no trees along the bank would have to be removed. Tree and root protection plans were also produced to further ensure the trees would not be affected. In light of these amendments and further details, the Councils Ecologist had no further concerns. The application is therefore considered acceptable in this regard.

Public Health

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

Historic Coal Mining Activity

The application site falls within the defined Development High Risk Area where coal mining features and hazards may be present and should be considered as part of the development proposals. As such the applicant submitted a Coal Mining Risk Assessment (CMRA) report and consultation has been undertaken with the Coal Authority.

The Coal Authority commented that the content of the CMRA is acceptable, however, the report concludes that there are shallow mine workings beneath the site and that there is potential for residual settlement associated with the collapse of these workings. As such, given the proposed use of the site as a car park, no objections were raised but it was considered further investigation work should be undertaken prior to development of the car park and a condition to this effect is suggested.

Flood Risk

The application site is located within Zone C2, as defined by the Development Advice Map (DAM) referred to in Technical Advice 15: Development and Flood Risk (TAN 15) (July 2004). Therefore the application is accompanied by a Flood Consequence Assessment and consultation has been undertaken with Natural Resources Wales. NRW commented that the FCA details the site is not predicted to flood during either the 1% (1 in 100 year) or the 0.1% (1 in a 1000 year) flood events and therefore no objections are raised.

Other Issues

It is noted that following consultation with the Council's Land Reclamation and Engineering Section and Dwr Cymru/Welsh Water, no adverse comments have been raised subject to standard conditions and advice.

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

It is not considered that the proposed car park extension would have any impact upon the existing character and appearance of site or the surrounding locality. Furthermore, it would have no further impact upon the amenity and privacy of the nearest properties in comparison to that which already occurs. It is also considered the development would have no impact upon highway safety in the vicinity of the site and would actually improve the current congestion issues experienced in the vicinity during drop off/pick up times at the adjacent school. As such, the application is considered to comply with the relevant policies of the Local Development Plan.

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 approved shall be carried out in accordance with the approved plans ref. 3954-PL 01, 3964-DR-A-900001, W130945_A_09, Tree Protection Plan, 16011/T/01-01 and documents received by the Local Planning Authority on 24/10/16 and 26/09/17, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall commence 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.

4. The development 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.

5. Prior to the commencement of development, a remedial strategy to remediate/mitigate the identified risk posed by recorded shallow coal mine workings shall be submitted to and approved by the Local Planning Authority. The approved remedial strategy shall then be implemented prior to/during development, as appropriate.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to the commencement of any works on site, details of the provision and operation of wheel washing facilities and measures to ensure that lorries leaving site are adequately sheeted shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and to ensure that mud and debris are not deposited onto the public highway, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. The car park extension hereby approved shall be carried out in accordance with plan ref. 3964-DR-A-900001, with no ground raising within the tree protection area set out between spaces 49 and 50 and with implementation of the tree protection measures (to BS:5837:2012 Trees in Relation to Construction) and no dig details as supplied in the Tree Protection Plan. All other tree works must be carried out in accordance with BS:3889 Tree Work and should be carried out outside of the nesting bird season unless otherwise agreed in writing by the Local Planning Authority.

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development

Plan.

8. No HGV deliveries of construction materials shall take place between the hours of 08:00–09:30 and 15:00–18:00 on weekdays, or between the hours of 11:00 and 12:00 on Saturdays.

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

9. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

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

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APPLICATION NO: 17/0102/10 (BJW)
APPLICANT: Mr Maund
DEVELOPMENT: Construction of 3 no. 3 bed houses (amended site location plan with reduced boundary received 12/07/17).
LOCATION: LAND AT BRYNGOLAU, TONYREFAIL, PORTH, CF39 8HW
DATE REGISTERED: 12/07/2017
ELECTORAL DIVISION: Tonyrefail West

RECOMMENDATION: Approve.

REASONS:

The application proposes a modest and contemporary development of three linked dwellings on a restricted site within the settlement boundary that would be within an existing residential estate. The proposal would make productive use of the site, would be in keeping with surrounding land uses and of a scale and design that would be sympathetic to the character and visual amenities of the area.

Whilst a number of objections have been received, the relationship between the proposed dwellings and the closest existing neighbouring properties and the amended design is such that the proposal is not considered to cause detriment to their amenities.

REASON APPLICATION REPORTED TO COMMITTEE

Three or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for the construction of 3 no. 3 bedroom link houses on land at Bryngolau, Tonyrefail.

The proposed dwellings are arranged in a configuration consisting of one dwelling which is wider than the other two while the narrower dwellings are of a greater depth. The wider dwelling would measure 8.3m in width by 7m in depth at its deepest point by 6.8m in height at the front elevation and 9.4m in height to the rear elevation. The two narrower units would measure 5.5m in width by 9.55m in depth to their deepest point by 7.3m in height at the front elevation and 10.05m in height to the rear elevation. The properties would feature a two storey aspect to the front elevation and an undercroft parking area to the rear due to the sloping nature of the rear of the site. Finishes would include through coloured concrete render and concrete roof tiles with brick parapet and retaining walls with timber fencing above.

Pedestrian access to the properties would be off the existing footway at the front of the dwellings while undercroft parking and turning would be provided within a lower ground floor level to the rear of the site off an existing highway. A pedestrian link would also be provided to the side of the eastern most property from the front to the rear of the site.

SITE APPRAISAL

The application site is a roughly rectangular piece of land situated between P S Stores (a shop) and a residential dwelling (157 Caergwerlas in Bryngolau, Tonyrefail).

The area is covered with a mixture of grass and a concrete slab. Former applicants stated that the site was a former takeaway and records indicate this was demolished some time ago. At the rear of the site and at a lower level is a lane and turning head and below this are the rear gardens of dwellings on Gilfach Road. The boundary treatment between the gardens and the lane consists of masonry walls. A number of the dwellings have relatively high hedges/landscaping behind the walls. One of these properties (89 Gilfach Road) has a garage which accesses on to the lane.

The surrounding area is predominantly characterised by a mixture of housing types featuring, two storey terraced houses, semi-detached properties used as flats within the immediate estate and larger semi detached dwellings to the rear of the site on Gilfach Road.

The application site is a reasonably large plot, approximately 425 square metres and with a site frontage of some 27m. The land has been vacant for some time and slopes from the front (north) to the rear lane (south) with a fall of 2.5m in ground level.

PLANNING HISTORY

16/5051	Bryngolau	Construction of 3 no. three bed terraced houses (informal enquiry).	RNO 12/10/16
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11/0126	As above	Proposed mixed development for 1 no. A3 hot food outlet with three bedroom flat above & 1 no. three bedroom house.	REF 29/06/11
09/1361	Land adjacent to 157 Caergwerlas, Bryngolau, Tonyrefail	Proposed mixed development for 1 no. A3 Hot Food Outlet with three bedroom flat above and 1 no. 3 bedroom house (Amended plans received 28/09/10)	WDN 21/10/10

PUBLICITY

This has included site notices and the direct notification of properties surrounding the site and 4 letters of objection have been received the main points of are detailed below.

1. Inaccuracies in the application form regarding neighbour and community consultation.
2. Trees from the rear of my property (89 Gilfach Road) have been removed which would lead to my property being overlooked by the proposal.
3. The slope of the existing land has been inaccurately presented.
4. The rear under croft parking will cause major disruption to residents of Gilfach Road particularly during the construction period.
5. False statements within the Design and Access Statement which are misleading in terms of the nature of the land as an infill site, statements regarding fly-tipping and lighting.
6. Loss of privacy and amenity to rear garden areas and rear of properties.
7. Disturbance during construction activities.

CONSULTATION

Transportation Section – initially raised objections to the application, however following amendments to the scheme which have reduced the footprint of the development and altered the access arrangements, now offers no objection subject to conditions.

Land Reclamation and Engineering (Drainage) – no objection, subject to conditions.

Public Health and Protection – no objection, subject to a condition to restrict the hours of operation during the construction period of the development and standard informative notes.

Dwr Cymru/Welsh Water – no objection, subject to conditions.

Wales and West Utilities – no objection. Standard advice offered in relation to safe working practices in the proximity of Wales and West Utilities apparatus.

Western Power Distribution - no response received.

Countryside, Landscape and Ecology – no objection.

Tonyrefail Community Council – no response received.

POLICY CONTEXT

The site is within the settlement boundary and is unallocated.

Rhondda Cynon Taf Local Development Plan

Policy CS2 - emphasises the need for sustainable growth that benefits the whole of Rhondda Cynon Taf.

Policy AW1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 –2021.

Policy AW2 - supports development proposals in sustainable locations including sites within the defined settlement boundary.

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

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

Policy AW8 - sets out criteria for the protection and enhancement of the natural environment.

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

Policy SSA13 - permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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.

Chapter 2 (development plans), Chapter 3 (making and enforcing planning decisions), Chapter 4 (planning for sustainability), Chapter 9 (housing)

Planning Policy Wales Technical Advice Note 12 - Design

Planning Policy Wales Technical Advice Note 15 – Development and Flood Risk

The above chapters and Technical Advice note set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

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 unallocated and situated within the defined settlement boundary as indicated within the Local Development Plan.

The principle of the development is therefore broadly acceptable subject to compliance with other policies in the Local Development Plan.

It is considered that the proposed dwellings would represent a modest, infill development and would therefore be considered to accord with the provisions of the Local Development Plan. However, the proposal must also be assessed in line with the other key requirements of planning policy as discussed below.

Impact on amenities of neighbouring properties

The site is an infill plot located off the existing highway with houses to the front, side (east) and rear and a retail shop to the west (side).

The siting for the dwellings illustrates that the proposal would be located to the west of the plot and set slightly forward of the existing front building line of the closest neighbouring property (157/158 Bryngolau). It is considered that there is sufficient distance between the proposal and existing neighbouring properties that the new dwellings would not have an overbearing impact or a detrimental effect on their privacy.

Additionally, while the development would intensify the use of the lane to the rear of the site, in terms of amenity it is not considered likely to be so significant to warrant an objection in this regard. In terms of the scale, design and location of the proposed dwellings, there is no objection raised against the scheme in amenity terms.

It is acknowledged that there have been objections to the application from neighbouring properties and these will be addressed later within the report.

Character and appearance of the area

The site is a redundant plot located between a retail store and existing houses within a residential setting.

It is considered that the proposed scheme would represent an acceptable scale and appearance within the site and its environs. The proposed scheme is of a modern and contemporary design, similar to other properties within the immediate locality.

It is considered that the proposal would successfully address concerns made regarding previous applications which appear to have been due to the commercial nature of those applications.

Consequently, it is considered that the proposed development would address the previous concerns with regard to the nature of the proposal.

Highway safety

The Transportation Section has raised no objection to the application on highway safety grounds subject to the imposition of conditions.

This view acknowledges the submitted access arrangements and highway works within the development site and concludes the following:

- There is concern with the lack of information submitted with regard to the extent of the foundations of the proposal and possible encroachment onto the public highway. However, the boundary wall of the dwellings is set back approximately 900mm from the edge of public highway which is considered sufficient to accommodate the foundations. A suitably worded condition is suggested to ensure that the proposed foundations do not encroach onto the public highway.
- There is concern with the lack of information submitted with regard to the full design and detail of the proposed steps linking the proposed parking areas to the dwellings. A suitably worded planning condition is suggested below to ensure that the steps are constructed to an adoptable standard to facilitate future adoption of the steps for public use.
- There is concern with the proposed developments shortfall of 3 off-street parking spaces. However, when considering there are parking opportunities in the existing lay-by to the front of the development and the sustainable location of the proposed development, the shortfall in off-street parking provision is on balance considered acceptable.

Consequently on the basis of the submitted highway layout and subject to the suggested conditions, the proposal is considered to be acceptable in this regard.

Response to residents' concerns

The application has been the subject of four objections from neighbouring properties during the consultation process. Having regard to the comments made, the following observations are offered in response.

The Design and Access Statement (DAS) is no longer required for an application of this nature. Inaccuracies may appear in the document in respect of neighbour engagement however the application has been subject to neighbour consultation and re-consultation as well as the display and re-display of site notices.

It is acknowledged that the trees have been removed from the rear boundaries of properties on Gilfach Road and that this removes some of the screening to the rear

of these properties. However, it is considered that there is sufficient distance to the rear of properties (over 25m) and rear garden areas (over 10m). It is not considered that the proposed dwellings would be unduly overbearing or have a detrimental impact on the privacy of properties on Gilfach Road or the immediately surrounding areas.

The slope of the existing land will have to be properly accounted for in terms of the resultant height of the proposed dwellings. Any inaccuracies would be resolved at this stage to arrive at the agreed levels and ridge heights.

The under-croft caters for 6 vehicles to be parked off road. These details have been examined by the Council's Highway Section and are considered to be acceptable. While the proposal will inevitably lead to an intensification of the use of the rear lane this is not considered to be so detrimental to warrant an objection in this regard.

Again, statements made in the DAS are acknowledged but the application is considered on its individual planning merits.

There would be increased disturbance during the period of construction activities however this would be for a limited amount of time. Additionally, the developer would be expected to carry out the development in a considerate manner and to limit the generation of noise, disturbance and noise through their working practices. The Local Authority has powers under other legislation to remedy inconsiderate and noisy activities in this regard.

Other issues

The comments of the Council's Public Health and Protection Division are acknowledged including their suggested condition to restrict the hours of operation during the construction phase of the development. However, due to the limited nature of the proposal and the other stronger legislative controls at the Council's disposal, it is considered that a condition of this nature would be unnecessary.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL (including indexation) for this development is expected to be £13,306.78.

Conclusion

The proposed development is considered to be of an acceptable scale and design that would not have a harmful impact on neighbouring properties, the visual amenity of the area, drainage and highway safety considerations. Consequently, the proposal is considered to be acceptable.

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 approved shall be carried out in accordance with the approved plan(s) no(s):

Site Location Plan.

Existing and Proposed Site Plans, Drwg. No. DAP010 Revision A.

Proposed Elevations, Drwg. No. DAP110 Revision A.

Proposed Plans, Drwg. No. DAP100 Revision A.

Proposed Section and Elevation, Drwg. No. DAP120 Revision A.

Proposed Parking Area, Drwg. No. DAP011 Revision A.

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

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

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

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

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

5. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the

sample(s) so approved.

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

6. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. These details shall also indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 in relation to Flood Risk Management.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure and to ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. No dwelling shall be occupied 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.

8. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Development shall not begin until details providing for the creation of vehicular crossovers off the existing turning area have been submitted to and approved in writing by the Local Planning Authority. The crossovers shall be constructed in accordance with the approved details before the development is brought into use.

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

10. Development shall not begin until full engineering design and detail of the proposed steps linking Bryngolau to the parking areas to the rear have been submitted to and approved in writing by the Local Planning Authority. The steps shall be constructed in accordance with the approved details before the development is brought into use.

Reason: In the interests of highway and pedestrian safety and to ensure vehicles are parked off the highway in accordance with Policy AW5 of the

Rhondda Cynon Taf Local Development Plan.

11. The parking areas shall be constructed retained for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

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

12. No part of the proposed development, including its foundations and roof / rainwater goods, shall encroach onto the public highway.

Reason: In the interests of highway and pedestrian safety and to protect the functionality of the existing turning head in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

13. 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 Local Planning Authority.

Reason: To prevent overloading the existing highway drainage system and potential flooding and in the interests of highway safety in accordance with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 17/0753/10 (KL)
APPLICANT: RCTCBC
DEVELOPMENT: Removal of existing building and construction of retaining wall to provide for an extension of the adjacent Dinas Community Recycling Centre.
LOCATION: DINAS DOG POUND, CYMMER ROAD, DINAS, PORTH, CF39 9BL
DATE REGISTERED: 02/08/2017
ELECTORAL DIVISION: Porth

RECOMMENDATION: Approve

REASONS:

The proposal would provide an extension to an established and well used Community Recycling Centre which would enable an improved site layout to accommodate a greater volume of traffic within the facility and therefore reducing congestion on Cymmer Road.

Whilst one letter of objection has been received, it is not considered that the proposal would have an undue impact on the environment or the amenity of

the environmental permit to be accepted. No changes are proposed to the current opening times of the centre which are currently as follows:

- April to October: Mon - Sun 08:00 – 19:30hrs;
- November to March: Mon - Sun 08:00 – 17:30 hrs.

The application is accompanied by the following:

- Design and Access Statement;
- Supporting Statement;
- Bat Survey;
- Structural Calculations;

SITE APPRAISAL

The application site relates to an irregular shaped parcel of land that lies immediately to the east of the existing Community Recycling Centre on Cymmer Road (A4058), Dinas, Porth. The site measures approximately 1090m² and is arranged over two levels with the split-level building of Dinas Dog Pound being located immediately between the two. The upper yard level and ground floor of the building fronts onto Cymmer Road to the south with the lower yard level and the lower ground floor level of the building backing onto the existing Council Depot to the north. A private access road which provides access to the upper and lower yard levels, the Council Depot and an adjoining commercial property occupied by Rhondda Ready Mix lies immediately to the eastern boundary of the site.

The surrounding area is characterised by a mixture of commercial and residential properties along the length of Cymmer Road. The nearest residential properties to the site are located approximately 70 metres to the west ('Ashfield Close').

PLANNING HISTORY

06/1703	Rhondda Cynon Taf Dinas Depot, Cymmer Road, Porth	Provision of an office portacabin	Granted 18/10/06
05/1997	Rhondda Cynon Taf Dinas Depot, Cymmer Road, Porth	Provisions of screens and gantry to upgrade existing wash down bay	Granted 12/01/06
04/2357	Rhondda Cynon Taf Dinas Depot, Cymmer Road, Porth	Community Recycling Centre	Granted 01/04/05
04/1583	Rhondda Cynon Taf Dog Pound, Cymmer Road, Dinas, Porth	Internal alterations & disabled ramp to front entrance	Granted 07/10/04

PUBLICITY

The application has been advertised by means of direct neighbour notification and the erection of two site notices in the vicinity of the site. One letter of objection has been received from an adjoining landowner and is summarised as follows:

- I was refused planning permission in 1988 on the grounds that the mouth off the main road was inadequate;
- The highway yard has introduced ash carts, parks, litter pickers plus the civic amenity site;
- I feel victimised;
- The animal pound exercise yard has previously been made smaller to provide parking facilities and this resulted in the rear gates and fence being moved forward which prevented trucks and lorries from entering my rear yard;
- I have a letter from Corporate Estates suggesting that I have a key to the gates to allow vehicular movements;
- I require 45 ft to the front of the animal pound to reverse into my front yard safely for delivery of cement. An articulated lorry cannot reverse off the main road and it will be as dangerous as when vehicles park on the main road waiting to go into the civic site;
- When I had planning permission, I had to set my gates far enough in so that we could park to open the gates. Will the rear gates be set back in so that the trucks using the rear yard can open the gates?
- The site should be moved especially with the vehicular movements in the highways yard where general public have the right to go to report anything to the Highways Department;
- There is an alternative for Amgen to buy my business if the issues cannot be resolved.

CONSULTATION

Countryside, Landscape and Ecology – no objection subject to conditions.

Flood Risk Management – no objection or condition suggested.

Natural Resources Wales – no objection subject to the applicant contacting their NRW regulatory officer to discuss any permit requirements for the extension.

Public Health – no objection subject to conditions.

Structural Engineer – no objection.

Transportation – no objection or condition suggested.

Wales and West Utilities – no objection.

Dwr Cymru/Welsh Water – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies inside the defined settlement boundary and is unallocated.

Policy CS9 – supports proposals for waste management facilities to serve sub-regional needs within existing and allocated B2 sites.

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

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

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

Supplementary Planning Guidance:

Design and Placemaking

Delivering Design & 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 Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 12 (Infrastructure and Services) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 18: Transport

PPW Technical Advice Note 32: Waste

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

In accordance with Planning Policy Wales, there is a presumption in favour of proposals that promote the reduction, re-use and recycling of materials in order to reduce land take-up for waste disposal. Moreover, Policy CS9 of the LDP makes clear that existing and allocated B2 employment sites are considered appropriate locations for new waste facilities to meet this objective in accordance with the Regional Waste Plan (2008).

The existing CRC site is used for the receipt, segregation and storage of a range of household wastes prior to onwards transportation to suitably licensed facilities for their disposal, reuse and recycling. The facility attracts large numbers of residents and, unfortunately, on occasions results in congestion on Cymmer Road.

The proposed extension would provide a continuation of the existing use but on a larger scale. It would provide an improved layout through the relocation of recycling bins currently situated on the upper level to that of the lower level and increasing the overall size of the site to accommodate a greater volume of traffic within the facility itself. It is anticipated that this would reduce congestion on Cymmer Road to the benefit of local residents.

As such, the principle of the proposed development is considered to be acceptable, subject to it satisfying other specific and amenity consideration discussed below.

Impact on highway safety

The application site is located on Cymmer Road (A4058) with the access to the proposed development being through the existing entrance to the Recycling Centre which is considered to be acceptable. The lower level access would be attained through the existing twin gates and would enable vehicles to retrieve the recycling units for disposal which is also considered to be acceptable.

In accordance with TAN 18, the required visibility is (2.4 x40) with the existing visibility being in excess of this which is also considered to be acceptable.

Taking the above into consideration, the proposal is considered to be acceptable in terms of the impact it would have on highway safety in the vicinity of the site and the Council's Transportation Section have therefore not raised any objection to the application.

Impact on residential amenity and privacy

The application site is located to the east of the existing CRC with the nearest residential properties being located approximately 70 metres to the west (adjoining the western boundary of the existing CRC). Given the location of the extension, it is not considered that it would have a significant or detrimental impact on surrounding residential properties.

It is also noted that no objections from existing residents have been received.

Visual Impact

The site would be enclosed with steel palisade fencing that would be in-keeping with the palisade fencing that currently encloses the existing CRC and that which currently encloses the adjacent Rhondda Ready Mix site. As such, it is not considered that the proposal would have a detrimental visual impact from public viewpoints along Cymmer Road.

Public Health

The existing CRC is subject to an Environmental Permit and regulated by Natural Resources Wales to ensure the environmental impacts from its operation are controlled and minimised. No new waste types will be accepted at the site with only those wastes currently permitted for acceptance at the existing Dinas Community Recycling Centre under the environmental permit to be accepted. Comments received from NRW indicate that no objection is raised to the proposal, however, it is advised that the license holder contact the relevant regulatory officer to discuss any permit requirements for the extension. It is therefore recommended that an informative note to this effect is added to any grant of consent.

The Council's Public Health & Protection Section have also raised no objections to the proposal, however, a number of conditions have been suggested in relation to hours of operation, noise, waste and dust during construction. Whilst these comments are appreciated, it is considered that issues relating to hours of operation, noise, dust and waste can be more efficiently controlled by other legislation and the suggested conditions are not necessary. It is considered that an appropriate informative note would be sufficient in this instance.

Flood Risk Management

It is noted that consultation has been undertaken with the Council's Land Reclamation and Engineering Section with a view to assessing any potential impacts upon land drainage. The comments received note that surface water would be discharged into the Mains sewer and that Welsh Water/Dwr Cymru have not raised any objection in this regard. Furthermore, the proposal would not increase the hardstand area. As such, no objection is raised by Land Reclamation and Engineering and no condition in relation to flood risk management is recommended.

Ecology

The application is accompanied by a bat report that confirms that there is no evidence of bat usage in the dog pound building. However, the report includes some precautionary recommendations. The Council's Ecologist requests that these be conditioned appropriately.

Other issues raised by objector

One letter of objection has been received in relation to the proposal from the owner of the adjacent Rhondda Ready Mix site and the points raised are considered in turn below:

1. The objector highlights that he was refused planning permission in 1988 on the grounds that the mouth off the main road was inadequate. Whilst this is

appreciated, every application is considered and determined on its own individual merit. The current proposal would not result in any alteration to the existing road layout or access arrangements and, as mentioned earlier in this report, the Council's Transportation Section have not raised any objections in relation to the proposed access arrangements.

2. The objector raises significant concern that the proposal would result in articulated lorries being unable to safely access the adjacent cement yard (to the east of the site). It is understood that previous alterations to the application site resulted in additional parking facilities being provided in the lower yard level at the rear of the dog pound building and the existing fence being brought closer to the Council Depot access road. This subsequently resulted in lorries being unable to access the rear yard area of the adjacent cement yard. The objector has verbally stated that he has a right of access over this land and that it has previously been agreed by Corporate Estates that he could have a key to the gates to facilitate access to his yard. The objector also verbally stated that he has a right of access over the upper yard area in front of the dog pound building and that this is currently used by articulated lorries to access the front yard of the cement business. Whilst it is understood that the objector has been using the road in front of the dog pound building for some time, the Council's Corporate Estate Section has confirmed that the objector only has a right of access over the Council Depot access road. This does not extend to the areas of land to the front or rear of the dog pound building. Whilst it is acknowledged that the objector now feels aggrieved as a result of this application, rights of access are not a material planning consideration and are a private matter that should be dealt with outside of the planning process. It cannot be used as a reason to refuse planning permission.
3. The objector states that when he obtained planning permission, he was requested to set the front gates far enough into the site to enable someone to park in front to open the gates without obstructing the Council Depot access road. Whilst it is noted that the gates to the lower yard area would not be set in to allow for the same, this is an existing arrangement and, as such, no objection has been raised by the Council's Transportation Section in this regard.
4. It is noted that the objector suggests that the site should be moved and whilst this point is appreciated, the Community Recycling Centre and Council Depot have been operating from the site for a number of years without conflicting with surrounding uses. As such, it is considered that the extension of the existing facility is more viable than relocating the whole facility elsewhere.
5. The objector also suggests that if the issues raised in his objection letter cannot be overcome, the only other option is for Amgen to buy him out of his business. Whilst this point is acknowledged, it would appear that the objector's use of part of the application site has been dependant on his use of the Council's land without any formal agreement and the securing of any alternative arrangement and is therefore beyond the remit of this application.

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 principle of the proposed development is considered to be acceptable and there are no significant concerns with regard to the impact it would have on the character and appearance of the surrounding area, the residential amenity and privacy of neighbouring properties or upon highway safety in the vicinity of the site.

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 approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 2nd August 2017 and 23rd August 2017, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:-

- Drawing no. AC2017/ENV/03/004 Rev. 1: Proposed Site Layout (02/08/17);
- Drawing no. AC2017/ENV/03/005 Rev 0: Dinas Recycling Extension Retaining Wall General Elevation(02/08/17);
- Drawing no. AM5581/03/09 Rev. 0: Retaining Wall Details (02/08/17);
- Retaining wall calculations (rec. 23/08/17)

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

3. The development hereby permitted and means of demolition shall be undertaken in line with the recommendations of the Bat Survey received by the Council on 14th September 2017 (David Clements Ecology Ltd: Survey for Bats).

Reason: To afford protection to animal species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 17/0822/10 (GH)
APPLICANT: Miss K Jollans
DEVELOPMENT: Change of use from A2 Estate Agent to A3 Cafe.
LOCATION: LLOYD TAYLOR SIMPSON, 66 PARK STREET,
TREForest, PONTYPRIDD, CF37 1SN
DATE REGISTERED: 31/08/2017
ELECTORAL DIVISION: Treforest

RECOMMENDATION: APPROVE

REASONS:

The principle of the proposed change of use is considered to be acceptable and in accordance with Policy SSA16 of the Local Development Plan, since it would bring vacant retail premises back into beneficial use. Furthermore, the proposed use would neither have an unacceptable impact upon the amenity of neighbouring occupants nor highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

A petition of objection, containing seventy two names, has been received. Therefore under the Council's Scheme of Delegation, the application is required to be determined by the Planning Committee.

APPLICATION DETAILS

Full planning consent is sought for a change of use from A2 to A3 within the ground floor retail space of 66 Park Street, Treforest.

The floor plan and details accompanying the application specify that the premises would be used for a cafe, including a limited seating area of eight tables and a serving counter. A doorway at the back of the shop would connect to a separate kitchen and toilet. The applicant has also stated that there is also an area to the rear of the site where waste bins can be kept, prior to be taken to the road side for collection.

No details have been submitted in respect of any external changes, since the applicant has advised that other than for a new fascia sign, which would be subject to another application for advertisement consent, the shopfront would be retained in its current form.

Lastly, the applicant has also clarified that the intention is for the business to focus on selling desserts and that in respect of opening hours the following are proposed:

Monday to Friday - 11:00 to 22:30 hours
Saturdays - 11:00 to 23:00 hours
Sundays and Bank Holidays - 11:00 to 21:30 hours

SITE APPRAISAL

The application property is a ground floor retail unit within a two storey Victorian building, located both within the Treforest Conservation Area and its designated retail zone.

The traditional shopfront, with fascia and pilasters, faces towards the east whereby the entrance to the shop is immediately adjacent to Park Street and close to the junction with Fothergill Street. The site is surrounded by a variety of other retail uses.

Currently the premises are vacant and the most recent use has been as estate agents. The ground floor area in question extends to approximately 55m², and benefits from a small area of bin storage to the rear.

Neighbouring retail properties are located immediately to the north and south, and 10.6m to the east.

PLANNING HISTORY

The most recent applications associated with this site are:

17/0974	Would like to advertise the business with a shop fascia TBC sign.	
98/2518	Change of use from shop to hot food takeaway (ground floor only).	Refused 02/10/98
96/2143	Change of A1 Retail Use to A3 Retail Use - Coffee Shop/Book Shop.	Granted 11/12/96

PUBLICITY

The application has been advertised by direct notification to nine neighbouring properties and notices were erected on site.

A letter from a neighbouring business has been received, together with the aforementioned petition, raising objections on the grounds that there are already too many takeaways and cafes in Treforest; and that another such outlet would be detrimental to the established businesses in the area.

These comments are considered within the body of the report further below.

CONSULTATION

Land Drainage - no objections, as no changes are proposed to increase the area of hard standing.

Public Health and Protection - no objections, but recommend a number of conditions relating to demolition, hours of construction, noise, dust and waste. However these

have no bearing on the proposed development, which concerns a change of use rather than any construction work, and would therefore be unnecessary.

However, although the use of the building that is currently being proposed is unlikely to give rise to odour issues, any planning consent would enable occupiers to use the premises as a typical cafe. Public Health officers are therefore concerned that this could cause odour nuisance in the future. It is suggested that these comments could be captured within an informative note to any consent

Dwr Cymru/Welsh Water - no objection but a condition, regarding surface water, and an advisory note in respect of the public sewer network, are requested.

Highways Development Control - no objections or conditions recommended.

No consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Treforest.

Policy CS2 - sets out the strategy for the Southern Strategy Area

Policy AW2 - directs development towards sustainable locations.

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

Policy AW10 - requires development proposals to protect public health and amenity.

Policy SSA16 - identifies the retail hierarchy

Supplementary Planning Guidance

- Delivering Design and Placemaking: Access, Circulation & Parking Requirements.
- Design in Town Centres

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 Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability) and Chapter 10 (Retail and Commercial Development), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

This application seeks approval for the change of use of 66 Park Street, Treforest from an A2 Estate Agent, which has ceased trading, to an A3 desert parlour/cafe. The premises would be open from 11am until 10.30pm on week days, 11.00pm on weekends and until 9.30pm on Sundays.

Since the site is both within the settlement boundary and within the retail centre of Treforest the main issues for consideration, in respect of the LDP policy framework, are the impact of this change of use on the vitality and viability of the retail centre and the impact it would have on the centres position in the retail hierarchy.

Policy SSA16 supports retail development or changes to existing retail uses inside the defined boundaries, where this would maintain or enhance the centres position of the retail hierarchy. In this case the change of use is from one retail use to another, albeit within a different part of the class, which therefore meets the first of the policy criteria.

The policy also states that the change of use should maintain or enhance the centres position in the retail hierarchy. Treforest is defined under policy SSA16 as a local and neighbourhood centre which is to serve the local population. In order to assess if the use would maintain the settlements position in the retail hierarchy it is necessary to look at the particular details of the use. The application proposes a cafe which would be open in the daytime and the evening. This means that there would be an active frontage supportive of both the daytime and evening economies. It could also be argued that the proposed use would also attract footfall to the centre.

However, in order for a centre to be vibrant and viable, a mix of uses is sought. In Treforest it is recognised that there are a number of A3 uses already within the centre, although by specialising in desserts the cafe would provide a different type of use in the centre, which would accord with national policy.

Lastly, it is noted that Treforest retail centre has a vacancy rate of 13.7% such that another retail use operating in the centre would be considered to be more beneficial than an additional property becoming vacant and would help to enhance the centres position in the retail hierarchy.

Consequently, it is considered that the principle of changing the use of the premises from an A2 to an A3 use would not adversely impact on the centres position in the retail hierarchy, and therefore no objection is raised.

Impact on the character and appearance of the area

The application does not seek consent to make external changes, although the applicant has identified that signage would be erected to the front of the shop.

Subject to its design, size, position etc. a fascia sign might be able to be erected as 'deemed consent' within the scope of the Advertisement Regulations, or may require a further consent. However, in respect of this application such a matter is not of concern.

However, it is considered that in the context of the street scene, the proposal would represent an improvement in the appearance of the site by being returned to beneficial use, and would also, therefore, contribute positively to the surrounding public realm.

Consequently, in terms of the impact of the development upon the character and appearance of the area, no objections are raised.

Impact on neighbouring occupiers

The proposed change of use does not, on its own, give cause for concern about a detrimental impact on the amenity of other businesses and dwellings.

The hours of operation would be either comparable or less than the other Class A uses within the surrounding retail zones, and the cafe use should not create an unacceptable degree of noise or disturbance for other occupiers.

During the consultation period a petition was received from nearby businesses and residents, raising an objection in terms of the concentration of A3 uses and the possible detrimental impact on their trade. Nonetheless, the latter issue cannot be considered as a material concern, whilst the matter of A3 concentration has already been considered further above.

Lastly, the matter of waste storage has also been identified as a concern, although the applicant has stated that there is an area to the rear of the premises that could be used for that purpose. However, as is the case for other businesses in Treforest, that waste would have to be brought to the highway at the front of the site for collection.

On balance, the impact of the development upon neighbouring occupiers is therefore considered acceptable.

Highways and Accessibility

At the location of the site Park Street, Treforest has a carriageway width of 7.0m, with a 1.7m wide footway on the development side and a 1.3m wide footway opposite. The carriageway incorporates a 2.2m wide limited waiting parking bay,

which restricts vehicles to 1 hour waiting with no return within 2 hours between 09:00 and 17:00hrs, Monday to Saturday.

Park Street is also subject to a one-way driving restriction in a northerly direction. Aside from the limited waiting parking bay Park Street is subject to parking restrictions in the form of double yellow lines. There are no changes proposed to the existing access arrangements, which Highways officers consider are acceptable to serve the proposed development.

With regard to parking, the established estate agent use has, in accordance with the Council's adopted SPG, an off-street parking requirement of 1 space per 20-25m² of ground floor area. In this case, the ground floor area amounts to a total of 55.5m² which would generate an off-street parking requirement of 2-3 spaces. There are currently no off-street parking spaces provided.

In accordance with the same SPG, the proposed Cafe use has an operational requirement of 1 commercial vehicle space and a non-operational requirement of 1 space per 3 staff, with a further 1 space per 14m² of dining area.

The submitted plans are not drawn to scale, and therefore the off-street parking requirement cannot be determined, which gives cause for concern. Nevertheless, there are no parking spaces proposed nor is there scope for off-street parking to be provided.

However, considering the sustainable location of the development, with formalised on-street parking available in the lay-by opposite and good public transport links, and that there are multiple other businesses of this type on Park Street, the Highways section considers that the lack of off-street parking provision is, on balance, acceptable.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of the change of use, highway safety and the impact on neighbouring residential 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 approved shall be carried out in accordance with the approved plans entitled 'New plan serving area' and 'New plan kitchen area', and documents received by the Local Planning Authority on 4th September 2017, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

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

Monday to Friday - 11:30 to 22:30 hours
Saturdays - 11:00 to 23:00 hours
Sundays and Bank Holidays - 11:00 to 21:30 hours

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

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APPLICATION NO: 17/0923/10 (EL)
APPLICANT: Age Connects Morgannwg
DEVELOPMENT: Proposed Alterations & Extension to Existing Day Care Centre to Form Community Hub. Works to include cladding of external envelope, alterations to car parking and boundary treatments. Internal alterations including formation of a GP Surgery, Day Care Nursery and Extension of Structure to create additional ancillary D1 Use Class Office Space (Coal Mining Report Received 21/09/17)
LOCATION: ST MAIRS DAY CENTRE, SEYMOUR STREET, ABERDARE, CF44 7BD
DATE REGISTERED: 17/08/2017
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION - Approve

REASONS:

The site represents an existing community facility, located within settlement limits. The current scheme seeks to provide additional facilities at the site, including a GP surgery and day care nursery, along with a range of physical improvements to the building and its grounds. The scheme is considered acceptable, in terms of the compatibility of the uses, with neighbouring land uses and its impact upon the character and appearance of the area. The scheme is also considered acceptable in terms of its potential impacts upon highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to Service Director Planning

APPLICATION DETAILS

Full planning permission is sought for a series of alterations and an extension to an existing day care centre, in order to create a 'community hub'. The works involve:

- Cladding of the external envelope of the building.
- Reconfiguration of the car parking layout.
- Changes to boundary treatments.
- Modifications to the internal layout to create a GP Surgery.
- Modifications to the internal layout to create a Day Care Nursery,
- Infill extension at ground floor (as part of GP surgery). This would involve the construction of a small ground floor (in-fill) extension on an area that currently provides a small secondary parking area. The extension would 'square off' an area of the building that fronts Pembroke Street and would allow a GP surgery to be located in this part of the building.
- First floor extension (to Pembroke Street elevation) to provide offices. This extension would sit directly above the proposed ground floor GP surgery. An office, stair well and circulation space would be accommodated within the existing first floor part of the building.

The planning statement indicates that, for a combination of reasons, the day centre has seen a decline in its use by the local public in recent years. As such, the applicant wishes to expand on the services offered by the current St. Mair's Day Centre, whilst also providing a G.P. Medical Centre and Day Nursery on site, with a view to integrating all ages and making the Centre a community hub. It is commented that:

'The new Community Hub will be renamed Cynon Linc. It will provide activities throughout the day and evening from arts and crafts, storytelling, reminiscing, music, education classes and gardening to concerts and films. It will have a sensory room that can be used with people suffering from dementia alongside a dementia café which will also support people carers. There will be a social enterprise bistro providing affordable, healthy meals and snacks for the whole community. There will be space for local groups to hire, alongside a hall which can be used for events, conferences and meetings. Age Connect Morgannwg will continue to deliver a nail-

cutting clinic from the hub and will invite local therapists to also use the space for therapies such as massage, reflexology and beauty treatments.'

The application is accompanied by the following information:

- Tree Survey by Treecare Consulting
- Ecological Survey (including Bat survey) by Just Mammals
- Coal Mining Risk Assessment
- Planning Statement

SITE APPRAISAL

The application site extends to cover an area of land measuring approximately 2500 square metres. The application site is bounded by roads on all four sides. To the north is Pembroke Street, to the east Weatheral Street, to the south Seymour Street and to the west, High Street (A4233). The building, which currently operates as a Day Centre for the elderly occupies the vast majority of the site. It is a large 1970's style flat roof construction. The main hall element of the building fronts Pembroke Street, with secondary rooms facing out onto Seymour Street. The building has two main pedestrian entrances, onto Pembroke Street and Seymour Street. Vehicular access is via Pembroke Street, to a small car park which sits in front of the main hall. To the west is a small garden area, which is accessed via a function room in the building. The immediate area surrounding the application site is predominantly residential in character. However, Aberdare Health centre lies immediately south of the site and the town centre is a short walk away (approximately 120 metres). The site is located just outside of the Aberdare Conservation Area.

PLANNING HISTORY

There is no recent planning history on the site in question.

PUBLICITY

The application was advertised by direct neighbour notification and site notices. No letters of representation have been received.

CONSULTATION

Transportation Section – no objections raised, subject to conditions.

Land Reclamation and Engineering – no objections raised.

Public Health and Protection – no objections raised.

The Coal Authority – no objections raised, informative note recommended.

Dwr Cymru/Welsh Water – no objections raised, conditions suggested.

Wales & West Utilities – apparatus may be located in the vicinity of the site, therefore may be at risk during construction works. The applicant must contact Wales & West Utilities directly to discuss the matter further and ensure no damage to their assets.

Countryside, Landscape and Ecology – no objections raised, conditions relating to protection of trees, to be retained, recommended and informative bat note.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries and is unallocated. The site adjoins the boundary which identifies Aberdare town centre.

Policy CS1 sets out criteria for achieving strong sustainable communities in the northern strategy area.

Policy AW2 promotes development in sustainable locations.

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

Policy AW6 sets out the criteria for new development in terms of design and place-making.

Policy AW8 sets out the criteria for protection and enhancement of the natural environment.

Policy NSA1 sets out the criteria for development in the Principal Town of Aberdare.

Policy NSA12 sets out the criteria for development within settlement boundaries

National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability) and Chapter 8 (Transport) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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

The application site represents an existing day centre located within settlement limits and close to Aberdare town centre. The current scheme seeks to provide additional and improved facilities at the site, in order to create a 'community hub'. The additional facilities will include a children's day nursery, GP surgery, and associated

office space. In order to accommodate the new uses, a series of physical alterations to the building are also proposed, including an extension.

As such, the key considerations in determining this application are the compatibility of the proposed expanded facilities within the established area and the impact of the development upon highway safety. The impact of the development upon the character and appearance of the existing site and immediate area, along with the potential impact upon ecology and the amenity of neighbouring occupiers are further considerations.

Principle of Development

In the assessment of any application for new development, the first consideration must be the location of the site in planning policy terms. In planning policy terms, policies AW2 and AW5 provide the main criteria for the assessment of new development. Amongst other factors, these require development proposals are located in sustainable locations that have good accessibility and that the activities proposed would not unacceptably conflict with surrounding uses. In this case the site is located within settlement limits and furthermore, lies close to Aberdare town centre, which is defined as a Principal town.

Whilst the scheme does involve the introduction of a number of 'new uses', the principle of the proposal does not involve a move away from the Class D1 Day Care Centre which currently operates from the site, as the proposed GP surgery, day care nursery, (and ancillary offices) are all also categorised as Class D1 uses.

It is noted that the proposal is also supported by a number of Local Development Plan policies; namely NSA1, and CS1, which aim to promote strong, sustainable communities. In terms of its position, it is considered that the proposal is ideally located, situated just outside the town centre and supports the regeneration of the Principal Town of Aberdare whilst also reinforcing the role of Aberdare as a focal point of the Cynon Valley. Furthermore, the proposal is supported by policy AW5.1e by including mixed-use development.

Overall, the proposal would be a welcomed development to Aberdare, contributing towards its regeneration and reinforcing its role as a Principal Town and therefore accords with the requirements of planning policy.

Character and Appearance

The full extent of the proposed works are set out above, however the in summary the scheme involves:

- converting an existing function room and meeting room to create a nursery, converting an existing storage area and building an extension over an existing commercial vehicle parking space to provide a GP surgery,
- and building an extension above this to introduce offices.
- Modifications to the external envelope of the building, including the cladding of elevations, in order to modernise the appearance of the building.

It is considered that in combination, the above-mentioned changes would significantly alter the appearance of the building, modernising the existing building, which is currently 'dated' in terms of its appearance. Whilst it is acknowledged that the proposed extension would result in an increase in the size of the building, its general scale and proportions would not alter significantly. The ground floor extension seeks to infill an un-used area within the site, effectively 'squaring off' the footprint. Similarly, the proposed first floor extension would sit directly above this. Whilst these additions would increase the size of the building, the first floor extension would have a flat roof construction, thereby reducing its bulk. Furthermore, the roof line of the addition would sit below the highest point of the existing (original) building, thereby further limiting its visual impact.

Overall, although the building would remain a substantial and prominent construction in the street scene, it is considered that its potential impacts, in terms of massing and visual impacts have been appropriately managed by dividing the building into parts, with varying height and scale, and adding interest to, and defining key elevations through the use of materials and finishes.

As such, overall, it is not considered that the development would result in a harmful impact, upon the character and appearance of the application site or the wider street scene.

Residential amenity

The site is located close to Aberdare town centre, however the area which immediately adjoins the site is predominantly residential in character. A number of residential properties are located along Seymour Street, Weatherall Street and Pembroke Street. It is acknowledged that these dwellings lie in close proximity to the site, so will obviously be aware of activity at the site. However, it is important to note that whilst the proposal involves the expansion of the centre to offer additional uses, all of these fall within the same use class, that being D1. Therefore, it is fair to consider that they would be similar in terms of their nature and impact being largely 'care related' uses. It is also noted that the ultimate purpose of the project is to provide a 'Community hub' which would provide services and facilities that would also benefit residents living in the vicinity of the site.

It is acknowledged that the proposal involves the construction of a first floor extension and this would be visible in the street scene fronting Pembroke Street. However, it is not considered that the scale of this addition would appear overly large or result in an overbearing form of development when viewed from the properties opposite on Pembroke Street. It is noted however, the scheme involves the formation of three new openings in the upper floor of this elevation, to serve the newly created office space. Whilst in visual terms these are considered acceptable, it is noted that separation distances between these openings, and those in the bedrooms of properties opposite would be just 12.0 metres. As such, a condition is suggested which would require these three openings be fitted with obscure glazing, in order to limit any potential for overlooking to the existing residential properties opposite.

Overall, given the history of the site and the location of the centre, in terms of proximity to the town centre, it is considered that the expansion of the facility to

provide a greater range of community based services would be compatible with neighbouring uses, particularly the nearby health centre and would not adversely affect either the levels of amenity or privacy which neighbouring occupiers currently enjoy to a degree that would warrant the refusal of the application.

Highway Safety

In order to aid in the assessment of the scheme upon highway safety, consultation has been undertaken with the Council's Transportation Section, their assessment, which raises no objections to the scheme, is detailed below.

Their observations note that there are three adopted highways surrounding the site Seymour Street which provides primary pedestrian access to the site, Weatheral Street with no direct access and Pembroke Street which has several access points for storage, car parking and pedestrian access from the car park.

Seymour Street has a carriageway width of 8.1m with footways which vary between 1.6m – 1.7m and is satisfactory for safe vehicular and pedestrian movement. It is noted that the proposal involves the removal of the existing entrance canopy, which projects over the footway. As such, a condition is suggested which will require the reinstatement of the footway upon completion of these works.

Pembroke Street, to the rear, is proposed for secondary access and off-street car parking. Pembroke Street has a carriageway width of 8.7m with footways of 1.6m which is acceptable for safe vehicular and pedestrian movement. The proposal involves relocating the existing car park entrance by some 3.0m to a more central position, which will require the extension of the existing vehicular crossover. This approach is considered acceptable and the detailed design of this can be dealt with by way of condition.

It is noted that the scheme involves the removal of a commercial car parking space, which is accessed off this street, in order to construct the proposed extension. Upon completion of these works it will be necessary to remove the existing dropped kerb and reinstate the footway. A suitably worded condition can also ensure these works are undertaken to an acceptable standard. A number of road markings will also require modification, however, these can be dealt with by way of condition and do not require alterations to the existing Traffic Regulation Orders.

In terms of car parking, the existing community centre requires in the region of 135 off-street car parking spaces in accordance with the Council's Supplementary Planning Guidance: Access, Circulation & Parking 2011, with 10 provided.

The proposed mixed use community centre, which includes a doctors surgery and crèche would require up-to a maximum of 125 spaces, as set out below:-

Doctors	=	13 spaces required. (4 per Practitioner and 1 per 3 staff).
Crèche	=	4 spaces required (1 space per 2 full time staff).
Office	=	6 spaces (1 per 25m ²)
Community Centre	=	102 (1 per 10m ²)

Therefore, the total (maximum) off-street car parking requirement for the proposal would be 125 spaces with 10 provided. With a total requirement of 125 spaces, with 10 provided this equates to a proposal which would require 10 less car parking spaces than the existing use.

The Transportation Section express some concern that the proposal is well below the maximum standards for the off-street car parking provision. However, this must be balanced against the fact that the proposal does not increase the parking requirements at the site, and that limited 2 hour car parking is available on Weatheral Street and Pembroke Street. Furthermore, the site is situated in a highly sustainable location on the outskirts of Aberdare Town Centre, where there is easy access, within walking distance, to public transport (both bus and rail stops) and public car parks. It is also commented that it is likely that a number of trips would take place on foot being in the heart of the community and cross linked with additional trips to the town centre and the different uses within the community centre.

Given the above, their observations conclude by raising no objections to the application, subject to a number of conditions, as such, the proposal is considered acceptable in respect of highway and accessibility issues (subject to conditions) and therefore is in compliance with Policies AW2, AW5 and AW6 of the Local Development Plan.

Ecology and Landscaping

The application is accompanied by an Ecological Survey, which includes an assessment for roosting bats. Having reviewed the document it is considered that this provides an appropriate level of detail for the scheme and concludes that the site has a relatively low ecological value; and that no impacts on bat roosts are identified at the Day Centre.

The application is also accompanied by a Tree Survey. This identifies and assess the value and condition of the existing trees on site. Whilst it is acknowledged that some of these will be lost as part of the refurbishment project, two prominent trees (identified as T7 and T9) which form part of the street scene onto Seymour Street would be retained. This approach is welcomed by the Council's Countryside Section.

Overall, having assessed the Tree Survey and Ecological Survey, the comments of the Council's Countryside Section conclude by raising no objections to the scheme in terms of its impacts upon either protected species or landscape value.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Having taken account of all of the issues outlined above and in light of the responses received from consultees, the application proposal is considered acceptable. Therefore, the proposal is recommended for approval, subject to the conditions specified below.

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 approved shall be carried out in accordance with the approved plan(s) no(s):

- 1337 [BD] 10D Proposed Ground Floor Plan
- 1337 [BD] 11C Proposed first Floor Plan
- 1337 [BD] 12B Site Block Plan Proposed
- 1337 [BD] 13B Proposed elevations
- 1337 [BD] 14A proposed courtyard elevations section A-A Section B-B
- 1337 [BD] 01A Ground floor plan Existing
- 1337 [BD] 02A First Floor Plan Existing
- 1337 [BD] 04 Existing elevations and sections A-A
- Site Location Plan 1:1250

and documents received by the Local Planning Authority on 17/08/17, 06/09/17, 11/09/17, 27/09/17, 09/10/17 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Before the development is brought into use the means of access, together with the parking facilities, shall be laid out in accordance with the submitted plan 1337 (BD) 10D and approved by the Local Planning Authority.

Reason: In the interests of highway safety. To ensure vehicles are parked off the highway.

4. Prior to the development being brought into use, the existing vehicular footway crossing to be abandoned on Pembroke Street shall be reinstated in full footway construction and the existing car park vehicular crossover to be relocated shall be provided in accordance with details to be submitted to and approved in writing by the Local planning Authority prior to any development on site commencing.

Reason: In the interests of highway and pedestrian safety.

5. Notwithstanding the submitted layout plan, details of the white bar marking across the vehicular access to be abandoned and reinstated as a permit holder parking bay shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

Reason: In the interests of highway safety.

6. Notwithstanding the details shown on the approved plans, development shall not commence until details of the footway to be reinstated after removal of the canopy have been submitted to and approved in writing by the Local Planning Authority. The reinstatement shall be carried out in accordance with the approved details prior to beneficial use.

Reason: In the interests of highway safety.

7. Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced-off areas they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees on the site during the course of building work in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Building operations shall not be commenced until samples/details of the finishing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

9. The Community hub hereby permitted shall only be open to visiting members of the public between the hours of 08.00 – 22.00 Mondays to Sundays, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity of those living closest to the site in accordance with policy AW5 of the Rhondda Cynon Taf Local

Development Plan.

10. The 3 no. first floor office windows, located in the first floor, north elevation onto Pembroke Street shall be fitted with obscure glazing, details of which shall be submitted to approved in writing prior to commencement of development. The obscure glazing shall be fitted prior to the building being brought into use and shall be retained as such thereafter.

Reason: In the interests of the residential amenity of those living closest to the site in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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APPLICATION NO: 17/0990/10 (EL)
APPLICANT: Age Connects Morgannwg
DEVELOPMENT: Proposed Alterations & Extension to Existing Day Care Centre to Form Community Hub. Works to include partial cladding of external envelope, alterations to access, car parking and boundary treatments. Internal alterations including formation of a GP Surgery, Day Care Nursery and Extension of Structure to create additional ancillary D1 Use Class Floor Space. Conversion of Former First Floor Caretakers Flat to Ancillary D1 Use Office Space.(Scheme B) (Coal Mining Report Received 21/09/17)
LOCATION: ST MAIRS DAY CENTRE, SEYMOUR STREET, ABERDARE, CF44 7BD
DATE REGISTERED: 13/09/2017
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION - Approve

REASONS:

The site represents an existing community facility, located within settlement limits. The current scheme seeks to provide additional facilities at the site, including a GP surgery and day care nursery, along with a range of physical improvements to the building and its grounds. The scheme is considered acceptable, in terms of the compatibility of the uses, with neighbouring land uses and its impact upon the character and appearance of the area. The scheme is also considered acceptable in terms of its potential impacts upon highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to Service Director Planning.

APPLICATION DETAILS

Full planning permission is sought for a series of alterations and an extension to an existing day care centre, in order to create a 'community hub'. The works involve:

- Cladding of the external envelope of the building.
- Reconfiguration of the car parking layout.
- Minor modifications to some boundary treatments.
- Modifications to the internal layout to create a GP Surgery.
- Modifications to the internal layout to create a Day Care Nursery
- Infill extension at ground floor (as part of GP surgery). This would involve the construction of a small ground floor (in-fill) extension on an area that currently provides a small secondary parking area. The extension would 'square off' an area of the building that fronts Pembroke Street and would allow a GP surgery to be located in this part of the building.
- Change of use of the upper floor (former caretakers flat) to provide offices.

The planning statement indicates that, for a combination of reasons, the day centre has seen a decline in its use by the local public in recent years. As such, the applicant wishes to expand on the services offered by the current St. Mair's Day Centre, whilst also providing a G.P. Medical Centre and Day Nursery on site, with a view to integrating all ages and making the Centre a community hub. It is commented that:

'The new Community Hub will be renamed Cynon Linc. It will provide activities throughout the day and evening from arts and crafts, storytelling, reminiscing, music, education classes and gardening to concerts and films. It will have a sensory room that can be used with people suffering from dementia alongside a dementia café which will also support people carers. There will be a social enterprise bistro providing affordable, healthy meals and snacks for the whole community. There will be space for local groups to hire, alongside a hall which can be used for events, conferences and meetings. Age Connect Morgannwg will continue to deliver a nail-cutting clinic from the hub and will invite local therapists to also use the space for therapies such as massage, reflexology and beauty treatments.'

The application is accompanied by the following information:

- Tree Survey by Treecare Consulting
- Ecological Survey (including Bat survey) by Just Mammals
- Coal Mining Risk Assessment
- Planning Statement

It is noted that this application is being considered in parallel with application 17/0923/10 (which appears elsewhere on this agenda) which also proposes the refurbishment of the centre. This scheme is referred to as Scheme A and also includes an extension to the building.

A letter of clarification from the agent confirms that during the development of the project, it was agreed that the proposals submitted for scheme A were the ultimate

objective. However, it was apparent that in order to implement scheme A, a funding strategy would need to be in place to cover the whole project, and additional monies would be necessary to support the BIG Lottery CAT 2 funding.

As such, in parallel with Scheme A, it was agreed to re-evaluate the proposals and develop a second scheme, the costs of which could be covered by the funding that is currently available. The resulting Scheme B includes the key design proposals for the Day Care Nursery, GP Medical Surgery and remodelling of the kitchen area but omits the first floor office extension.

It is a requirement of BIG Lottery (funding) that planning permission is in place for the scheme selected, and obtaining permission for both proposals will allow flexibility and certainty as to which scheme to implement, with the funding available.

SITE APPRAISAL

The application site extends to cover an area of land measuring approximately 2500 square metres. The application site is bounded by roads on all four sides. To the north is Pembroke Street, to the east, Weatheral Street, to the south Seymour Street and to the west, High Street (A4233). The building, which currently operates as a Day Centre for the elderly occupies the vast majority of the site. It is a large 1970's style flat roof construction. The main hall element of the building fronts Pembroke Street, with secondary rooms facing out onto Seymour Street. The building has two main pedestrian entrances, onto Pembroke Street and Seymour Street. Vehicular access is via Pembroke Street, to a small car park which sits in front of the main hall. To the west is a small garden area, which is accessed via a function room in the building. The immediate area surrounding the application site is predominantly residential in character. However, Aberdare Health centre lies immediately south of the site and the town centre is a short walk away (approximately 120 metres). The site is located just outside of the Aberdare Conservation Area.

PLANNING HISTORY

There is no recent planning history on the site in question.

PUBLICITY

The application was advertised by direct neighbour notification and site notices. No letters of representation have been received.

CONSULTATION

Transportation Section – no objections raised, subject to conditions.

Land Reclamation and Engineering – no objections raised.

Public Health and Protection – no objections raised.

The Coal Authority – no objections raised, informative note recommended.

Planning Policy - no objections raised. The proposal would be a welcomed development to Aberdare, contributing towards its regeneration and reinforcing its role as a Principal Town.

Dwr Cymru/Welsh Water – no objections raised, conditions suggested.

Wales & West Utilities – apparatus may be located in the vicinity of the site, therefore may be at risk during construction works. The applicant must contact Wales & West Utilities directly to discuss the matter further and ensure no damage to their assets.

Countryside, Landscape and Ecology – no objections raised, conditions relating to protection of trees, to be retained, recommended and informative bat note.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries and is unallocated. The site adjoins the boundary which identifies Aberdare town centre.

Policy CS1 - sets out criteria for achieving strong sustainable communities in the northern strategy area.

Policy AW2 - promotes development in sustainable locations.

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

Policy AW6 - sets out the criteria for new development in terms of design and place-making.

Policy AW8 - sets out the criteria for protection and enhancement of the natural environment.

Policy NSA1 - sets out the criteria for development in the Principal Town of Aberdare.

Policy NSA12 - sets out the criteria for development within settlement boundaries.

National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability) and Chapter 8 (Transport) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

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

The application site represents an existing day centre located within settlement limits and close to Aberdare town centre. The current scheme seeks to provide additional and improved facilities at the site, in order to create a 'community hub'. The additional facilities will include a children's day nursery, GP surgery, and associated office space. In order to accommodate the new uses, a series of physical alterations to the building are also proposed, including a ground floor in-fill extension.

As such, the key considerations in determining this application are the compatibility of the proposed expanded facilities within the established area and the impact of the development upon highway safety. The impact of the development upon the character and appearance of the existing site and immediate area, along with the potential impact upon ecology and the amenity of neighbouring occupiers are further considerations.

Principle of Development

In the assessment of any application for new development, the first consideration must be the location of the site in planning policy terms. In planning policy terms, policies AW2 and AW5 provide the main criteria for the assessment of new development. Amongst other factors, these require development proposals are located in sustainable locations that have good accessibility and that the activities proposed would not unacceptably conflict with surrounding uses. In this case the site is located within settlement limits and furthermore, lies close to Aberdare town centre, which is defined as a Principal town.

Whilst the scheme does involve the introduction of a number of 'new uses', the principle of the proposal does not involve a move away from the Class D1 Day Care Centre which currently operates from the site, as the proposed GP surgery, day care nursery, (and ancillary offices) are all also categorised as Class D1 uses.

It is noted that the proposal is also supported by a number of Local Development Plan policies; namely NSA1, and CS1, which aim to promote strong, sustainable communities. In terms of its position, it is considered that the proposal is ideally located, situated just outside the town centre and supports the regeneration of the Principal Town of Aberdare whilst also reinforcing the role of Aberdare as a focal point of the Cynon Valley. Furthermore, the proposal is supported by policy AW5.1e by including mixed-use development.

Overall, the proposal would be a welcomed development to Aberdare, contributing towards its regeneration and reinforcing its role as a Principal Town and therefore accords with the requirements of planning policy.

Character and Appearance

The full extent of the proposed works are set out above, however the in summary the scheme involves:

- converting an existing function room and meeting room to create a nursery, converting an existing storage area and building an extension over an existing commercial vehicle parking space to provide a GP surgery,
- Modifications to the external envelope of the building, including the cladding of elevations, in order to modernise the appearance of the building.

It is considered that in combination, the above-mentioned changes would significantly alter the appearance of the building, modernising the existing building, which is currently 'dated' in terms of its appearance. Whilst it is acknowledged that the proposed ground floor extension would result in an increase in the size of the building, its general scale and proportions would not alter significantly. The ground floor extension seeks to infill an un-used area within the site, effectively 'squaring off' the footprint.

Overall, although the building would remain a substantial and prominent construction in the street scene, it is considered that its potential impacts, in terms of massing and visual impacts have been appropriately managed by dividing the building into parts, with varying height and scale, and adding interest to, and defining key elevations through the use of materials and finishes.

As such, overall, it is not considered that the development would result in a harmful impact, upon the character and appearance of the application site or the wider street scene.

Residential amenity

The site is located close to Aberdare town centre, however the area which immediately adjoins the site is predominantly residential in character. A number of residential properties are located along Seymour Street, Weatherall Street and Pembroke Street. It is acknowledged that these dwellings lie in close proximity to the site, so will obviously be aware of activity at the site. However, it is important to note that whilst the proposal involves the expansion of the centre to offer additional uses, all of these fall within the same use class, that being D1. Therefore, it is fair to consider that they would be similar in terms of their nature and impact being largely 'care related' uses. It is also noted that the ultimate purpose of the project is to provide a 'Community hub' which would provide services and facilities that would also benefit residents living in the vicinity of the site.

Whilst an extension to the building is proposed this would be an in-fill addition at ground floor level, which would not extend beyond the 'principle' elevation that fronts Pembroke Street.

Overall, given the history of the site and the location of the centre, in terms of proximity to the town centre, it is considered that the expansion of the facility to provide a greater range of community based services would be compatible with neighbouring uses, particularly the nearby health centre and would not adversely affect either the levels of amenity or privacy which neighbouring occupiers currently enjoy to a degree that would warrant the refusal of the application.

Highway Safety

In order to aid in the assessment of the scheme upon highway safety, consultation has been undertaken with the Council's Transportation Section, their assessment, which raises no objections to the scheme, is detailed below.

Their observations note that there are three adopted highways surrounding the site Seymour Street which provides primary pedestrian access to the site, Weatheral Street with no direct access and Pembroke Street which has several access points for storage, car parking and pedestrian access from the car park.

Seymour Street has a carriageway width of 8.1m with footways which vary between 1.6m – 1.7m and is satisfactory for safe vehicular and pedestrian movement. It is noted that the proposal involves the removal of the existing entrance canopy, which projects over the footway. As such, a condition is suggested which will require the reinstatement of the footway upon completion of these works.

Pembroke Street, to the rear, is proposed for secondary access and off-street car parking. Pembroke Street has a carriageway width of 8.7m with footways of 1.6m which is acceptable for safe vehicular and pedestrian movement. The proposal involves relocating the existing car park entrance by some 3.0m to a more central position, which will require the extension of the existing vehicular crossover. This approach is considered acceptable and the detailed design of this can be dealt with by way of condition.

It is noted that the scheme involves the removal of a commercial car parking space, which is accessed off this street, in order to construct the proposed extension. Upon completion of these works it will be necessary to remove the existing dropped kerb and reinstate the footway. A suitably worded condition can also ensure these works are undertaken to an acceptable standard. A number of road markings will also require modification, however, these can be dealt with by way of condition and do not require alterations to the existing Traffic Regulation Orders.

In terms of car parking, the existing community centre requires in the region of 135 off-street car parking spaces in accordance with the Council's Supplementary Planning Guidance: Access, Circulation & Parking 2011, with 10 provided.

The proposed mixed use community centre, which includes a doctors surgery and crèche would require up-to a maximum of 125 spaces, as set out below:-

Doctors	=	13 spaces required. (4 per Practitioner and 1 per 3 staff).
Crèche	=	4 spaces required (1 space per 2 full time staff).
Office	=	4 spaces (1 per 25m ²)
Community Centre	=	102 (1 per 10m ²)

Therefore, the total (maximum) off-street car parking requirement for the proposal would be 123 spaces with 10 provided. With a total requirement of 123 spaces, with 10 provided this equates to a proposal which would require 12 less car parking spaces than the existing use.

The Transportation Section express some concern that the proposal is well below the maximum standards for the off-street car parking provision. However, this must

be balanced against the fact that the proposal does not increase the parking requirements at the site, and that limited 2 hour car parking is available on Weatheral Street and Pembroke Street. Furthermore, the site is situated in a highly sustainable location on the outskirts of Aberdare Town Centre, where there is easy access, within walking distance, to public transport (both bus and rail stops) and public car parks. It is also commented that it is likely that a number of trips would take place on foot being in the heart of the community and cross linked with additional trips to the town centre and the different uses within the community centre.

Given the above, their observations conclude by raising no objections to the application, subject to a number of conditions, as such, the proposal is considered acceptable in respect of highway and accessibility issues (subject to conditions) and therefore is in compliance with Policies AW2, AW5 and AW6 of the Local Development Plan.

Ecology and Landscaping

The application is accompanied by an Ecological Survey, which includes an assessment for roosting bats. Having reviewed the document it is considered that this provides an appropriate level of detail for the scheme and concludes that the site has a relatively low ecological value; and that no impacts on bat roosts are identified at the Day Centre.

The application is also accompanied by a Tree Survey. This identifies and assess the value and condition of the existing trees on site. Whilst it is acknowledged that some of these will be lost as part of the refurbishment project, two prominent trees (identified as T7 and T9) which form part of the street scene onto Seymour Street would be retained. This approach is welcomed by the Council's Countryside Section.

Overall, having assessed the Tree Survey and Ecological Survey, the comments of the Council's Countryside Section conclude by raising no objections to the scheme in terms of its impacts upon either protected species or landscape value.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Having taken account of all of the issues outlined above and in light of the responses received from consultees, the application proposal is considered acceptable. Therefore, the proposal is recommended for approval, subject to the conditions specified below.

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 approved shall be carried out in accordance with the approved plan(s) no(s)

- 1337 [BD] 20C Proposed Ground Floor Plan
- 1337 [BD] 21B Proposed first Floor Plan / site block plan
- 1337 [BD] 22B Proposed elevations and section A-A
-
- 1337 [BD] 01A Ground floor plan Existing
- 1337 [BD] 02A First Floor Plan Existing
- 1337 [BD] 04A Existing elevations and sections A-A
- 1337 [BD] 03 Site block plan as existing
- Site Location Plan 1:1250

and documents received by the Local Planning Authority on 07/09/17, 11/09/17, 27/09/17, 09/10/17 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Before the development is brought into use the means of access, together with the parking facilities, shall be laid out in accordance with the submitted plan 1337 (BD) 20C and approved by the Local Planning Authority.

Reason: In the interests of highway safety. To ensure vehicles are parked off the highway.

4. Prior to the development being brought into use, the existing vehicular footway crossing to be abandoned on Pembroke Street shall be reinstated in full footway construction and the existing car park vehicular crossover to be relocated shall be provided in accordance with details to be submitted to and approved in writing by the Local planning Authority prior to any development on site commencing.

Reason: In the interests of highway and pedestrian safety.

5. Notwithstanding the submitted layout plan, details of the white bar marking across the vehicular access to be abandoned and reinstated as a permit holder parking bay shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

Reason: In the interests of highway safety.

6. Notwithstanding the details shown on the approved plans, development shall not commence until details of the footway to be reinstated after removal of the canopy have been submitted to and approved in writing by the Local Planning Authority. The reinstatement shall be carried out in accordance with the approved details prior to beneficial use.

Reason: In the interests of highway safety.

7. Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced-off areas they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees on the site during the course of building work in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Building operations shall not be commenced until samples/details of the finishing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

9. The Community hub hereby permitted shall only be open to visiting members of the public between the hours of 08.00 – 22.00 Mondays to Sundays, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity of those living closest to the site in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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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

PLANNING & DEVELOPMENT COMMITTEE

2 NOVEMBER 2017

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

**MR J BAILEY
(Tel: 01443 494758)**

See Relevant Application File