



## **PLANNING & DEVELOPMENT COMMITTEE**

**6 DECEMBER 2018**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/1165/10  
(BJW)  
**APPLICANT:** Mr P Rees  
**DEVELOPMENT:** Convert defunct paddling pool into a water play area (splash play).  
**LOCATION:** ABERDARE PARK, GLAN ROAD, GADLYS, ABERDARE  
**DATE REGISTERED:** 11/10/2018  
**ELECTORAL DIVISION:** Aberdare West/Llwydcoed

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**RECOMMENDATION:** Approve

#### **REASONS:**

The proposed splash play area would bring a redundant part of the park back into productive use with a new, bespoke, water play facility. The proposal would require less maintenance and supervision than the previous paddling pool and would allow greater accessibility to water play for all sections of the community, including those with mobility impairments.

Additionally, the paddling pool was not an original feature of this well-preserved Victorian Park which is also a Grade II\* Historic Park and Garden and therefore its loss would not be detrimental to the character and appearance of the park in this regard.

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#### **REASON APPLICATION IS BEING REPORTED TO COMMITTEE**

The applicant is related to a serving Elected Member - Cllr. Mrs Sharon Rees.

#### **APPLICATION DETAILS**

Full planning permission is sought for the conversion of the existing, disused paddling pool at Aberdare Park into a water play area (splash play).

The works would involve the creation of a level area of non-slip coated concrete over the area of the former paddling pool (approximately 150 sq.m). The footprint of the former paddling pool would then be represented with a painted base which would delineate the boundary of the splay play area and its ancillary equipment.

The splash play equipment would feature 13 different types of apparatus and a total of 16 installations across the whole of the splay play area. Water supply would be provided using the existing plant room to the east of the splash play area.

The location of the play equipment is indicated on the main layout plan accompanying the application while specifications for the individual pieces of equipment have also been submitted. They indicate equipment of varying heights (from surface mounted to 3.7m in height) and with a variety of dispersion zones across the whole playing surface.

## **SITE APPRAISAL**

The application site is a fenced off area within the wider Aberdare Park located to the north of the boating lake.

The site consists of a padding pool and a plant building within a powder coated palisade fenced area. The site is set within a plateau at this part of the park which rises from the main entrance at Glan Road to the south east.

Aberdare Park is a Grade II\* registered Historic Park and Garden. This is because the park is a well preserved Victorian public park, partly laid out by the eminent park and garden designer, William Barron.

This part of the park, to which the application relates, is believed to have been added around the 1950's with the shape of the pool having been altered to its current shape in the 1970's.

## **PLANNING HISTORY**

None relevant.

## **PUBLICITY**

The application has been advertised by site notices and a press notice. No responses have been received.

## **CONSULTATION**

Land Reclamation and Engineering (Drainage) – no objection. The application does not propose to increase the external hardstanding area and will control surface water that enters onto the surface with the creation of the water play area.

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

Dwr Cymru/Welsh Water – no objection.

Cadw – no objection. It is considered that the proposals will be of benefit to the park by bringing the pool area back into use as a water play area and providing an additional attraction for park visitors.

Countryside, Landscape and Ecology – no response received.

Corporate Estates – no response received.

Environmental Services (Leisure) – no response received.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site is within the settlement boundary of Aberdare, and serves several communities within the wider area including Aberdare Town, Gadlys, Trecynon and Cwmdare. The site unallocated and is within a Grade II\* Historic Park and Garden (Aberdare Park).

**Policy CS1** – sets out criteria for achieving strong sustainable communities including: promoting residential and commercial development in locations which support and reinforce the role of principal towns and settlements.

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

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

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

**Policy AW7** - development proposals which impact on sites of architectural/or historic merit and sites of archaeological importance will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

**LDP Supplementary Planning Guidance (SPG): The Historic Built Environment** (March 2011)

### **National Guidance**

#### **Planning Policy Wales**

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 sustain ability), Chapter 6 (The Historic

Environment), Chapter 7 (Economic Development) and Chapter 11 (Tourism, Sport and Recreation).

Technical Advice Note (TAN) 12: Design (2016)

Technical Advice Note (TAN) 24: The Historic Environment (2017)

The above chapters and Technical Advice Notes (TAN's) 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 lies within the defined settlement limits of Aberdare and is also within a well-established park of acknowledged quality that provides leisure and recreation facilities for several surrounding communities.

The principle of upgrading a disused area of the park to improve its facilities while also providing an additional attraction to visitors is considered to be acceptable and in keeping with the wider aims of the Council, particularly the promotion of health and wellbeing.

The existing character and appearance of the building would be improved by the proposal and the existing elevations of the remaining plant building would remain largely unaltered.

Consequently, it is considered that the principle of the proposal is acceptable.

#### **Impact on neighbouring residential properties**

The site is located within the park area, is well screened and a considerable distance (over 130m) from the closest neighbouring residential properties. This accepted, it is considered that the nature, scale and appearance of the proposal would not have a detrimental impact on neighbouring properties.

It is also acknowledged that there have been no adverse responses received as part of the consultation exercise for the application in this regard. Consequently, the proposal is considered to be acceptable in this respect.

## **Visual amenity of the area, including the Historic Park and Garden**

The works proposed would be of an acceptable scale and design that would be in keeping with the surrounding park and an improvement on the currently dilapidated appearance of this part of the park.

It is acknowledged that the paddling pool is not an original feature of the park but one that was added in the 1950's and then modified in the 1970's. The form of the paddling pool, particularly the footprint of the pool itself, would form the water play area of the scheme and therefore part of its plan-form, at least, would be retained on site.

In terms of the impact on the registered Historic Park and Garden, it is considered that this underused area of the park would benefit from the proposed installation. Additionally, the design and scale of the development would be an improvement on the currently disused and dilapidated appearance.

## **Other issues**

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered construction hours, noise, dust and waste matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning these issues.

## **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 considered that the scheme will improve the character, appearance and utility of this currently disused area of the park.

The proposal would add to the attractions available within the park, would be more inclusive to all users and would require less maintenance and supervision than a traditional paddling pool.

Consequently, it is considered that the proposed scheme is acceptable.

## **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of

five years from the date of this permission.

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s)

- Site Location Plan
- Layout Plan, Revision 2, Option 1
- Activator Power Post, Drawing ID. 0010-1854
- FS Fun-Brella, Drawing ID. 0010-1485
- FS, Magnif-Eye, Drawing ID. 0010-0497
- FS Twisty Misty, Drawing ID. 0010-3816
- FS Rainbow Dome, Drawing ID. 0010-3570
- FS Sneaky Spin Soaker, Drawing ID. 0010-1498
- FS Spin Splasher, Drawing ID. 0010-3573
- FS Spin-A-Roo, Drawing ID. 0010-1698
- FS Splash Blaster, Drawing ID. 0010-0403
- FS Trilly Lilly, Drawing ID. 0010-1668
- FS Wavy Wand, Drawing ID. 0010-0754
- Playphase Geyser Low Flow, Drawing ID. 0010-2427
- GS Misty Mountain, Drawing ID. CO2-313
- GS Solo Spurt, Drawing ID. CO2-337
- GS Tulip, Drawing ID. CO2-345

and documents received by the Local Planning Authority.

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

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