

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2015-2016**

**DEVELOPMENT CONTROL  
COMMITTEE  
5 NOVEMBER 2015**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	<b>Agenda Item No. 7</b>
<b>APPLICATIONS RECOMMENDED FOR REFUSAL</b>	

**1. PURPOSE OF THE REPORT**

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

**2. RECOMMENDATION**

To refuse the applications subject to the reasons outlined in Appendix 1.

1. Application No:14/0913 Erection of a single wind turbine and associated infrastructure at On Land 440m To The West Of Rhiwfelin Fach Farm, North Of The Royal Mint, Llantrisant, Pontyclun, Gr 303656, 185383.
2. Application No: 15/1049 Retention of balcony, pagoda and decking, glass canopy over doors as indicated on submitted plans (resubmission of 15/0604/10) at Ffynon Y Gog Farm, Cefnpennar Road, Cefnpennar, Mountain Ash.

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## Committee Report produced for Planning Committee

**APPLICATION NO:** 14/0913/10 (DB)  
**APPLICANT:** Infinite Renewables  
**DEVELOPMENT:** Erection of a single wind turbine and associated infrastructure.  
**LOCATION:** ON LAND 440M TO THE WEST OF RHIWFELIN FACH FARM, NORTH OF THE ROYAL MINT, LLANTRISANT, PONTYCLUN, GR 303656, 185383  
**DATE REGISTERED:** 01/08/2014  
**ELECTORAL DIVISION:** Town (Llantrisant)

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**RECOMMENDATION:** Refuse

### REASONS:

The principle of the development is considered acceptable, being a small scale wind development that would contribute to the Welsh Government's commitment to optimising renewable energy generation. Furthermore, no objections have been raised by statutory consultees with respect to the main considerations, i.e. the potential impacts upon either the amenity of nearby residential properties, highway safety or ecology.

However, in respect of the main issue - it is considered that the wind turbine cannot reasonably be accommodated within the landscape without significant harm to the existing landscape character of the area and visual amenity.

Furthermore, it is considered that the economic benefits provided in support of the development are not sufficient to outweigh the harm and conflict with Policies AW5 and AW12 of the Rhondda Cynon Taf County Borough Council Local Development Plan.

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### APPLICATION DETAILS

Full planning permission is sought for a single wind turbine on a site located around 440 metres to the west of Rhiwfelin Fach farm and 350m of the Royal Mint, Llantrisant.

The proposed wind turbine would be a 500kw wind turbine at a height of 75m to the hub with a rotor diameter of 82m and an overall height to blade tip of 116m. The exact model is a VENSYS 82 1500 kw.

The turbine would sit on a concrete foundation base measuring 20m diameter, to a maximum depth of 3m below the ground with the top of the concrete flush with the ground. The turbine would be constructed of galvanised steel with 3 blades of

reinforced polyester, in a traditional propeller format, finished in a semi matt coating of light grey - RAL7035. There would also be a hard-standing area of approximately 70 square metres for the crane required to construct the wind turbine and two sub stations each measuring 5m x 3m x 3.2m high finished in moss green located close to the base of the turbine.

The turbine would be connected directly to the existing 11 KV grid connection at the Royal Mint via an underground cable from the turbine.

The energy produced by the wind turbine would be used to meet approximately 10% of the energy usage of the Royal Mint and would be provided at a discounted rate via a Power Agreement thereby reducing their energy costs and carbon footprint. The remainder of the energy produced would be sold to the National Grid.

The turbine would be operational for 25 years, thereafter it would be dismantled, removed from the site and the site reinstated to its previous condition.

A new access track is proposed to be constructed from Pantybrad Road for a length of 22 metres and a width of 4m to reach the development using 300mm of quarry stone over 300mm of granular sub base material. The access works would necessitate the removal of 11 m of hedgerow which is proposed to be reinstated. The access would cross the path of PRow ANT/273/1.

The construction activities are estimated to take no longer than 2 months and involve 22 traffic movements both ways, involving 15 visits for the foundation works and approximately 7 visits for the installation of the tower and blades. The wind turbine components would arrive in sections with some being classified as abnormal loads in terms of both size and weight. The maintenance requirements would amount to 1 visit per fortnight during the life of the turbine.

The application is accompanied by supporting information which includes a planning supporting statement, a design and access statement, a transport management plan, a Landscape and Visual Impact Assessment (LVIA) (as updated by a briefing note dated October 2014) and associated visualisations, an extended phase 1 habitat survey as amended in Sep 2014, a noise impact assessment dated April 2015 and a Technical note dated September 2015 and shadow flicker analysis.

## **SITE APPRAISAL**

The site measures approximately 0.65ha is located in a field which is in the open countryside, outside the settlement boundary, approximately 440 metres to the west of Rhiwfelin Fach Farm and 350 metres to the north of the Royal Mint, Llantrisant. The site lies 850 metres north east of the settlement of Ynysmaerdy, 1,000 metres to the Royal Glamorgan Hospital, around 1,800 metres north of Llantrisant and 2,100 metres west of Beddau. The other nearest dwellings are situated at Glanmychudd

Fach Farmhouse (437m) Rhiwfelin (703m), Dyffryn (760m), Pantybrad (868m) and Bedw (1139m).

The site lies on rising sloping land above the valley floor of the Nant Muchudd at a height of 113m AOD. The site presently comprises of agricultural land which is grazed by livestock. The land slopes further to the north west reaching 180 metres AOD.

The existing access to the site is gained from an agricultural filed gate on Pantybrad Road. Public Right of Way known as ANT/273/1 and 2 are located within the vicinity of the access to the site.

The site lies within a Special Landscape Area. The Rhos Tonyrefail SSSI lies to the south west of the site. To the south east lies the settlement of Llantrisant which together with its Common are a Conservation Area. In addition the Common also has an SSSI designation (Llantrisant Common Pastures).

## **PLANNING HISTORY**

None.

## **PUBLICITY**

The application has been advertised by means of site notices and neighbourhood notification. Three letters have been received as a result of this publicity, raising the following matters:-

- Any impact on the SINC should be minimised or eliminated
- Questions reliability of landscape and visual effects summary tables particularly reference to the nature of effect which would be negative not neutral
- Does not agree that a key characteristic of the area is urban but is primarily a rural setting
- The assessment of the impact from Llantrisant is flawed and incomplete.
- Rather than being noticeable the turbine would be prominent as the tallest manmade object in the local area ( Viewpoint 3), the use of the “narrow field of view” argument is weak as height is the only relevant factor, the argument that it is a single turbine is weak as is allowed the damage would be done and another would not matter nearly as much
- The assessment fails to take into account the context of the Llantrisant Common SLA and SSSI as it would represent a noticeable new component within such views
- The turbine would be of a considerable height and widely visible compared to the existing business park
- The turbine would have a disproportionate impact to recreational users of the Common to many residents of Llantrisant and Beddau who use Heol Y Sarn

- Application fails to demonstrate how this imposing development is compatible with the area which has high landscape value being designated as a SLA
- The turbine would be the central focus of views north from Llantrisant and the Common and west from Beddau
- It will break the skyline and dominate the SLA
- Not appropriately sited, eroding sense of place, extending development into rural hinterland which the SLA should ensure does not happen
- Would have a very negative impact on surrounding area
- Construction would be disruptive
- Llantrisant Common which is a beautiful and unique asset would be ruined.

## **CONSULTATION**

Natural Resources Wales (NRW) - raises no objections. NRW consider that in isolation, the proposal is not likely to have any significant landscape or visual effects on landscapes of national importance. Recommends that the Authority consider the potential cumulative effects on local landscape character. NRW raise no adverse comments in relation to potential impacts on biodiversity.

Cardiff Airport – raises no objections subject to a condition requiring the details of mitigation measures together with a programme for their installation prior to the proposed development commencing.

Cadw – Advises that the proposed turbine would have an adverse impact on three designated scheduled ancient monuments and will be visible from the Rhondda Valley Landscape of Special Historic Landscape, but at most this impact will be of low significance.

Cardiff County Council – raises no objections

Glamorgan Gwent Archaeological Trust Ltd (GGAT) – raises no objection to the positive determination of the application.

Vodafone – raises no objection

Land Reclamation and Engineering – raises no objections and recommends a condition in relation to the treatment of surface water matters.

Transportation Section – raises no highway objections are raised subject to conditions and the requirement for a S106 Agreement in respect of before and after surveys and an assessment of compensation for extraordinary use.

Countryside Section – raises no objections and recommends conditions to secure a management plan for the proposed ecological mitigation and a bird monitoring condition. Advises that there are no SEWBREC records of statutory protected species from the immediate vicinity. Advises to insert bat informative note on any planning permission issued. PROW Llantrisant 273 is affected by the access track

and precautions should be put in place to ensure that there are no safety issues in relation to the public enjoyment of this path.

Public Health and Protection Division – advises that the updated noise report is inadequate to determine the acceptability of the application in terms of likely noise levels.

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan (LDP)

The proposals and constraints maps indicate that the site is located in the countryside, within Special Landscape Area SLA 23.6 (Mynydd y Glyn and Nant Muchudd Basin) and within the sandstone safeguarding area.

**Policy CS2** - outlines how the emphasis on building strong, sustainable communities will be achieved in the Southern Strategy Area.

**Policy CS10** – defines safeguarding areas for mineral resources.

**Policy AW4** - provides for the negotiation of planning obligations.

**Policy AW5** – supports development proposals where amenity and accessibility matters are addressed.

**Policy AW6** – supports development proposals where certain design and place making criteria are met.

**Policy AW7** - states that development should preserve or enhance the character and appearance of sites of architectural and/or historical merit and protect public open space, public rights of ways, bridleways and cycle tracks.

**Policy AW10** – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of matters including light and noise pollution.

**Policy AW12** - permits renewable energy schemes including small/medium sized wind turbines where there is no unacceptable effect upon the interests of certain matters including agriculture, nature conservation, cultural heritage, landscape importance, public health and residential amenity. Minimisation of resource use should also be included. For this policy small clusters of no more than 3 larger wind turbines up to 1.5 MW and community based schemes of no more than 5MW capacity are treated as small wind turbine developments.

**Policy AW14.2** safeguards the resources of sandstone from any development which would unnecessarily sterilise or hinder their extraction.

**Policy SSA23** states that development within the Special Landscape Areas (SLA's) will be expected to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

### National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy (which are not duplicated in the Local

Development Plan) particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales (Edition 7 July 2014) Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 6 (Historic Environment), Chapter 7 (Economy), Chapter 8 (Transport), 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 (TAN) 6: Planning for Sustainable Rural Communities (2010)

PPW Technical Advice Note (TAN) 8: Planning for Renewable Energy (2005) The site of the wind turbine lies outside the TAN 8 Annex D Strategic Search Area (SSA) F and outside the SSA refinement study.

Welsh Government Practice Guidance – “Planning Implications of Renewable and Low Carbon Energy” Feb 2011

PPW Technical Advice Note (TAN) 11: Noise (1997)

## **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 main consideration in the determination of this application is firstly whether the principle of the development is acceptable in this location. Further important considerations include whether the renewable energy scheme would have any adverse impacts on the landscape character and appearance of the surrounding area and on residential visual amenity, nature conservation, agriculture, residential amenity of those living closest to the site, access and highway safety and existing surface water drainage arrangements.

Other Issues include cultural heritage, grid connection issues, the safeguarding of mineral resources and the benefits of the proposal.

### Principle of development

At UK and Welsh Government level there is strong support for renewable and low carbon energy, with specific targets set for the reduction in green house gases and energy generation from on-shore wind development. The exploitation of wind power is promoted at all policy levels.

Whilst TAN 8 states in Para 2.2 that "large scale (over 25MW) onshore wind developments should be concentrated into particular areas defined as Strategic Search Areas (SSA's)", guidance is also provided for the development of smaller wind developments outside of these areas. In particular, Paragraph 2.12 states that "The Assembly Government expects local planning authorities to encourage, via their development plan policies and when considering individual planning applications, smaller community based wind farm schemes (generally less than 5MW)."

The application involves a wind turbine of 0.5MW and is therefore classed as a small scale turbine in policy terms, being a "sub local authority" scale of development, at under 5MW within PPW. This scale of development is not required, within PPW, nor TAN 8 to be sited within the boundary of SSA F. Para 12.9.9 advises that such "renewable energy projects are applicable in all parts of Wales and development plans should encourage such development and clearly set out the local criteria against which such proposals will be evaluated."

TAN 8 also identifies the need for authorities to consider the cumulative impact of small schemes in areas outside of the SSAs and the need to strike a balance between "the desirability of renewable energy and landscape protection" (Para 2.13).

Policy AW12 of the LDP permits small scale wind turbine proposals subject to a number of criteria against which such proposals will be evaluated.

It is concluded that this is a small scale wind turbine and there is national and local planning policy support for the principle of this proposal, subject to the assessment of environmental criteria, which includes; the impact on the landscape, natural heritage; the need to minimise impacts on local communities and effects on the transportation network. There is therefore no objection in principle to the proposed wind turbine, subject to the other material planning considerations being satisfied.

### Landscape and visual Impact

Natural Resources Wales have advised that in their view, in isolation, the proposal is not likely to have any significant landscape or visual effects on landscapes of national importance. However, NRW recognise that the turbine would represent a

major new landscape feature which will have effects upon the landscape character in the local area. NRW are aware there are a number of consented and proposed turbines in the wider area and urge the Authority to consider the potential cumulative impact of these schemes on locally important landscapes.

As the landscape and visual effects of the proposed turbine, in the local area are considered to be the main factors that need closest scrutiny, chartered landscape architect, Simon White (White Consultants) was commissioned to assist in the review of the Landscape and Visual Assessment (LVIA) submitted to accompany the proposed scheme.

The LVIA submitted to accompany the application incorporates the LVIA together with associated visualisations, LANDMAP effects on each relevant local aspect area, wire line and photomontage visualisations from 12 key viewpoints with associated landscape, visual and cumulative assessments.

The proposed wind turbine would be located just above the valley floor and in the open countryside. It would be located within the Special Landscape Area of Mynydd y Glyn and Nant Muchudd. It is considered that the first key policy and management within this SLA which is to ensure no large scale developments spoil the integrity and seclusion of basin and surrounding slopes and the written justification of SLA Policy SSA 23 of the LDP “to the protection of the unspoilt low lying farmland, common land and gentle valley slopes which form a visual backdrop to the settlements of the area” are considered particularly relevant to this proposal. The LANDMAP assessment of the area, particularly the visual and sensory and historical aspect areas are also relevant. The site is also in near proximity to residential properties, PRoW’s and open public spaces.

Given the location of the site, (which is detailed in full under the Site Appraisal) it is considered that the main landscape and visual effects of the proposal relate to the following matters:-

- The individual and cumulative effect on the character and appearance of the area, a SLA, the effects on the visual and sensory, historic and cultural landscape aspect area in which the site is located, the effects on the adjacent Llantrisant Common and SLA of Llantrisant Surrounds and the setting of the Llantrisant Conservation Area,
- The effects on residents, especially those on the north facing parts of Llantrisant, residents in Ynysmaerdy and on the western edge of Beddau, and
- The effects on users of local footpaths within the SLA and other public open spaces especially Llantrisant Common and open access areas to the north including Mynydd y Glyn.

### Landscape Effects

Overall, the LVIA which accompanies the application states that none of the effects on the relevant LANDMAP aspect areas are considered to be significant and all the effects are said to be neutral. Unlike the LVIA it is considered that there would be significant effects on the visual and sensory, historic and cultural aspects areas which would indicate a significant effect on landscape character overall. This is because it is considered that the turbine would be out of character and scale with the pastoral lowland farmland and existing scale of the landform.

It is accepted that other nearby aspect areas are not considered to undergo significant effects.

The LVIA states that the proposed wind turbine would not compromise the sense of place associated with the SLA, its single nature would not “appear expansive” as only a localised area would be directly affected and it would not affect any of the key characteristics of the area i.e. field pattern, narrow lanes or vegetation cover. The LVIA states that there are other turbines/wind farms lying within the SLA and that perceived change would be acceptable. However, it is the case that there are no other wind turbine developments within the SLA so that this statement is not true. The proposal is stated as having a medium magnitude of change resulting in a change of moderate significance, i.e. not significant. The LVIA states that the policies and management section of the SLA assessment state that the area should be protected from large scale developments, however, this is not directly addressed. The LVIA also does not precisely mention that the primary qualities and features of the SLA include the following:-

- *In the basin there is a very attractive network of narrow winding lanes, small irregular fields bounded by large mixed hedges and many trees, scattered farms, unlike any other part of RCT.*
- *This forms a major part of the wide views north from Llantrisant although secluded from all other areas.*

Overall, the LVIA appears to underplay the vertical scale of the turbine which is large. It is clear that the turbine would be a large feature in a relatively fine grain lowland landscape and would feature in views from Llantrisant. It would also be in conflict with the key SLA management policy of ensuring that no large scale developments spoil the integrity of the “gentle valley slopes which form a visual backdrop to the settlements of the area”. It is considered that the effect would be significantly adverse on the designation and the development would be contrary to the relevant SLA policy.

The LVIA does not mention the effects on the adjacent SLA of Llantrisant Surrounds which incorporates the land to the north and east of Llantrisant including Llantrisant Common in the north and to the edge of Beddau in the east. One of the key policies within this SLA is to conserve the skyline. It is considered that the introduction of a large isolated structure adjacent to this SLA would be significant adverse as the

turbine would introduce a new vertical element in views from this SLA which would be one of the key characteristics of the views from this SLA.

The LVIA states that from the Llantrisant Conservation Area and from views north within it the proposal would be a noticeable component but would not compromise the character and quality of these views. The proposal is stated as having a medium magnitude of change resulting in a change of moderate significance i.e. not significant. The Conservation Area contains a significant number of listed buildings and is considered to be of high sensitivity. Being a hill top location it forms a key part of the character of the area. Whilst most views of the Conservation Area are from the south there are key views available from the north in the distance and the introduction of a large scale single turbine on the site would be considered to effect its setting from views to the north of the site. As the Conservation Area is considered to be of high sensitivity the impact is considered to be an adverse impact but this is assessed to be of low significance.

The LVIA does not refer to the effects on the other nearest designations of listed buildings. To the south west of the site and known as Llantrisant Colliery works and Ynysmaerdy farm complex which are mostly listed as Grade II and to the east is Castellau Congregational Chapel. However, due to the topography and wooded nature of the views towards these sites any potential affect on the setting of these assets is considered to be negligible.

There would also be direct effects on the landscape in terms of the removal of the hedgerow to accommodate the proposed access into the site. Whilst the hedgerow is proposed to be reinstated the character of the hedge would be different with fewer species and narrower in width for many years. This impact as considered to be minor adverse impact.

### Visual effects

The LVIA has estimated the zones of theoretical visibility (ZTV) within a distance of 10km, and assesses 12 representative views. Only one of the representative views is considered to undergo effects of moderate significance and these are for walkers and drivers along Pantybrad Road about 180m to the north east of the site (Viewpoint 1). This judgement is considered understated as whilst the magnitude of the effect is agreed the significance would be major and significant. All other effects on the visual environment are stated to be direct and neutral. It is considered that these findings appear remarkable in as much as the proposed turbine would be a very large structure which would be relatively close to a number of receptors.

The subsequent submitted briefing note has amended the visual effects such that within the context of Viewpoint 7 (Tonyrefail), the magnitude of effects is changed from medium/low to medium which will give rise to a moderate significance of effect. All local view points (numbered 1 - 5) within 2km of the site are changed from neutral

to adverse and in the case of Viewpoint 1 the effect is changed to significant adverse but the magnitude/significance is unchanged.

It is considered that five of the viewpoints would undergo significant effects and the effects are considered to be adverse and not neutral. This is because it is considered that the wind turbine would be out of scale and character with the lowland pastoral landscape. Although there is the presence of other wind turbines within some views these are at a greater distance and are associated with the open or forested uplands. These viewpoints would be those shown from Ynysmaerdy (Viewpoint 2), Llantrisant Common (Viewpoint 3), Llantrisant Road, Beddau, (Viewpoint 4) from land north of Investiture Place, Tonyrefail (Viewpoint 7) and from land to the south of Cefn Coed Farm, Tonyrefail (Viewpoint 8). From all these views, apart from Viewpoint 8 the turbine would appear prominently on the skyline. It is considered that Viewpoint 8 does not accurately represent the effects of views from access land to the north and east as it is relatively low and nearby pylons are prominent, such as Mynydd y Glyn where it is expected that effects would be greater than provided within the LVIA.

From the views which represent views from Pleasant View, Penrhiwfer ( Viewpoint 6), Eglwysilan Road, East of Pontypridd (Viewpoint 9, PROW east of Efail Isaf ( Viewpoint 10), Cowbridge Road Talygarn (Viewpoint 11) and from a lane to the north of Peterston-Super-Ely (Viewpoint 12) the effects would be likely to be adverse as the proposed turbine would be an isolated element within a rural hillside which would appear out of character with the surrounding landscape, although they are not considered significant due to the distance and the limited extent of the single turbine.

It is also considered that the turbine is likely to be highly visible with direct views from the A4119 approach to the Royal Mint site from Talbot Green. Whilst other turbines are visible at a distance, this turbine would be a highly prominent feature in the local landscape, particularly at this location which forms a gateway into the Rhondda Valleys.

### Cumulative effects

The LVIA notes that there would be 62 turbines within 15km of the site and that the additional wind turbine could be accommodated without detriment to the character and qualities of the landscape setting. It goes on to say that "*the principle of sustainable energy generation in this landscape has been accepted*". However, this is not the case as the site lies some considerable distance outside of SSA F. The nearest turbines mentioned on Mynydd Maendy ( presumably Taff Ely and Mynydd Portref) are 5km to the west are cited as "*characterising the upland landscape*". This is used to justify the change which would be caused by the proposal. However, the proposed turbine is a single turbine rather than a cluster and is proposed in a lowland valley side.

The LVIA does not assess how the proposal would cause both combined and additional effects with other turbines on landscape and visual receptors. The LVIA consideration of combined effects is used in the context of several developments being seen from one viewpoint in one view. This is a partial assessment and does not address the other meaning of the word to assess the total effect of the development combined with other energy development on both landscape and visual receptors.

In terms of combined views, the LVIA states that the proposal would be seen in combination with other schemes, but would be closer to the viewer from some locations and appear as a completely separate, stand alone development which would not jar visually with the other schemes. In sequential views, such as from upland walks, the proposal is said to avoid visual confusion and the establishment of a landscape character dominated by wind turbines.

In consideration of these matters it is considered that the development would appear as separate from the established pattern of wind energy developments but would be seen in juxtaposition with them. It would bring a similar scale of turbine (i.e. large) into the settled lowland valley landscape, viewed at relatively close quarters. Whereas, the distance of the other developments and their pattern is relatively consistent, this development is not so. It contrasts with the scale of the surrounding landscape. It adds significantly to the effect of wind energy development on visual receptors such as from Llantrisant as it is much closer. Therefore, there are likely to be significant adverse cumulative visual effects arising from the development.

It is accepted that the proposal would not significantly effect other nearby landscape character areas due to the separation from other developments.

### Conclusions.

- The proposed turbine lies on a lowland valley side within a pastoral irregular fieldscape with trees and hedges. Whilst the development is for a single turbine it is large and it appears to be out of character and scale with this landscape.
- There would be a significant effect on the visual and sensory, historic landscape and cultural landscape aspect areas in which it lies though the LVIA only identifies a localised effect on the visual and sensory aspect area.
- It would have a significant adverse effect on the qualities of the SLA's of Mynydd Y Glyn and Nant Muchudd Basin and Llantrisant Surrounds and would be in conflict with the key SLA management policies of ensuring no large scale developments spoil the integrity of the slopes, and to conserve the sky line.

- It is separated from the Royal Mint and Llantrisant Business Park so there is limited visual association, though the proposal has a functional link with the Royal Mint.
- The turbine is visually separated from other turbines of a similar scale on the distinctly different upland areas, some associated with SSA F. It therefore appears to be bringing the wind energy landscape character into the lower settled landscapes with adverse cumulative effects.
- Significant visual effects are likely from the north facing part of Llantrisant, and from Llantrisant Common which slopes towards the site. There will also be significant adverse effects on residents in Ynysmaerdy and on the edge of Beddau. Adverse effects will also occur on users of PROWs (the Ridgeway Walk which traverses east to west through Llantrisant) in the SLA, and on the combined open access areas to the north, including Mynydd y Glyn.

Overall therefore, it is considered that the proposed turbine would have an unacceptable harmful impact on the character and appearance of the surrounding area and on residential visual amenity and would be contrary to the provisions of Policies AW5, AW12 and SSA23 of the LDP.

#### Impact on residential amenity

The impacts on adjacent residential uses as a result of noise and visual disturbance due to shadow flicker/reflected light also need to be considered. In considering these impacts it is noted that the nearest residential properties are located at the following distances from the wind turbine – Glanmychydd Fach Farmhouse (437m) Rhiwfelin Fach (447m), Rhiwfelin (703m), Dyffryn (760m), Pantybrad (868m) and Bedw (1139m).

In relation to noise, The Assessment and Rating of Noise from Wind Farms (The ETSU Report 1997) referred to in TAN8 provides indicative noise levels which would provide a reasonable degree of protection to wind farm neighbours. The ETSU Report recommends that predicted noise levels should not exceed 35 dB LA90, 10 min.

The applicant has submitted a noise impact assessment dated April 2015 and a Technical Note dated September 2015 which has measured the potential noise levels from the proposed turbine and assessed this in relation to background noise levels. The noise impact assessment has stated that the noise emissions would meet the absolute criterion detailed in ETSU-R-97 for single turbines.

The Council's Public Health and Protection Division has advised that the noise assessment is inadequate. It has not addressed the issue that within the study area there is a building listed as NSP-6 Royal Mint ) which is incorrectly listed as it is a residential property known as Glanmychydd Fach Farm which falls within the 35 dB

Contour of the proposed turbine. The assessment shows that at this residential property the impacts of the turbine would not comply with the  $L_{A90}$  of 35. As such the amendments to the report to reflect the incorrect classification of the property have not been done in that there are not background noise levels for the property against which noise conditions can be set. Due to the incomplete nature of the information submitted it is not possible to ascertain whether the proposal would comply with the ETSU Report.

A Shadow Light Flicker report has been provided and is contained in Appendix 4 of the Planning Statement. The report sets out the possible effects of shadow flicker for the six properties located within 820 metres of the proposed turbine, i.e. those properties within 10 times the rotor diameter distance of the proposed wind turbine, i.e. within 820 metres. The report shows that shadow flicker may occur at three properties known as Rhiwfelin Fach, Rhiwfelin and Bedw., For each property the days of the year when the maximum shadow hours could occur would be for a maximum period of 42 minutes between 13 and 16 March, and between 27 to 30 September at Rhiwfelin Fach, 19 minutes at Rhiwfelin on 18, 19, 23 and 24 January and 5 minutes at Bedw during 13 and 14 October.

The Planning Statement states that given the very limited incidence of shadow flicker identified, no significant shadow flicker issues are anticipated to arise to pose a detrimental impact upon residential amenity. The residential property known as Glanmychudd Fach Farmhouse is incorrectly identified as the Royal Mint but as the report indicates the property is not located within 130 degrees either side of north of the turbine and therefore shadow flicker would not be an issue at this site.

The construction phase of the development also has the potential to have an impact on the amenities of local residents. However the construction activities are of short term duration of up to two months and conditions could be imposed in order to control the hours of operation and minimisation of dust.

It is concluded that subject to the imposition of appropriate conditions the potential impacts of shadow flicker and the construction phase are not likely to cause undue noise and disturbance to the nearest residential properties. However, it is considered that without adequate noise assessment it cannot be certain that the proposed turbine would not cause undue noise to the nearest residential properties.

It is therefore considered that in terms of noise levels from the operation of the proposed turbine, it has not been shown that the proposed development would be in keeping with the provisions of Policy AW10 of the LDP.

#### Ecology/agricultural land quality

The Council's Ecologist has advised that the ecological assessment is a competent assessment. The ecological assessment dated October 2014 shows that the site is situated in an area of very high nature conservation value. The field in which the

application site is part of adjoins the Rhos Tonyrefail SSSI and the site lies within 500m of the Llantrisant Common and Pastures SSSI. The field of the application consists of a mosaic of drier improved (sheep grazed) grassland which is of low botanical/habitat and a series of interconnected small marshy grassland features. These marshy areas have been assessed as satisfying SINC selection criteria and being of candidate SINC value. In addition, woodland along the site's southern boundary is identified as high ecological value, and the site hedgerows are also identified as being of ecological value. The site of the proposed turbine lies on an area of improved grassland, although the proposed access track and development includes some areas of marshy grassland habitat. Due to the nearness of hedgerows and trees there is assessed to be moderate levels of bat activity. The bird assessment concludes that the proposed single turbine is unlikely to represent a significant barrier to birds. No wintering bird surveys have been undertaken although the report includes an assessment of the potential winter bird value (based on winter bird work from other wind farm schemes in RCT).

The ecological assessment includes recommendations in section 7 to minimise habitat loss and protect marshy grassland within the construction phase of the development. It also includes a number of species mitigation measures including 12 months of bird and bat monitoring surveys and bat mitigation for a 50 metre radius of the turbine to increase the potential for bat use of the site.

The Council's Ecologist has raised no objections to the proposed development subject to a number of conditions to secure the details of the proposed bird and bat mitigation, species mitigation and protection of the existing habitats, management proposals for the bat mitigation area, details and management of the re-instatement of the 11 metres of hedgerow lost as a result of the improvements to the existing site access. He has also requested that an annual winter bird monitoring scheme is secured for a five year period in order to provide some case study information for bird strikes for single turbines. It is therefore considered that the ecological mitigation details recommended by the Council's Ecologist should be secured by appropriate conditions. NRW have raised no adverse comments in relation to the potential impacts on biodiversity.

In terms of agricultural land quality, the wind turbine and associated works and assess would involve a small piece of land within the applicants farm holding on land which appears to be within Grade 4 or 5 of the agricultural classification maps. Whilst there are no restoration details submitted it is considered that these details could be secured by an appropriate condition.

It is therefore considered that there would be no ecological or agricultural constraint to the development, subject to the imposition of appropriate conditions.

#### Highway Safety and PROW matters

The Traffic Management Plan submitted in support of the application includes a policy context, assessment context, haulage route and swept path analysis. It states that there are no significant barriers to the transport of the components of the wind turbine along the identified traffic route from the M4 along the A4119 and Pantybrad Road to reach the site.

Most of the traffic associated with the construction period would comprise of normal hgv traffic but the specialist transportation required to deliver the turbine components would amount to abnormal loads. The anticipated traffic movements would be 16 hgv vehicular movements for the foundation works and 6 abnormal loads for the rotor blades, tower, nacelle and hub.

A swept path analysis has been undertaken for the turbine blade delivery vehicle which would be the longest and most onerous of all the components to be delivered. This has shown that there are no issues with the route for abnormal loads off the M4 to the turning with Heol Y Sarn. However, it shows that along Pant y Brad Road delivery vehicles would need to mount footways, verges and watercourses and would therefore require to remove some street furniture and a post box, and use reinforcement matting to provide the necessary traction along the road verges.

The revised Traffic Management Plan received on 13.04.15 includes a revised swept path analysis for Pant-Y-Brad Road which shows that there is no longer the need to culvert a short length of a roadside drainage ditch where there is a right-angled left hand turn near Glanmychudd Fach. This is because the highway here is currently being improved in association with the development of a recycling centre (Ref 12/0037) and the swept path analysis confirms that the delivery vehicles would be able to negotiate the bend once the highway works are completed.

The construction period is estimated to take no longer than 2 month and maintenance works would be likely to require 1 vehicle every two weeks over a 25 year period.

A new access is proposed to be constructed from Pantybrad Road for a length of 22m to a width of 4m to reach the turbine which would be constructed of granular sub base over quarried stone. However, whilst the position of the access is shown on the submitted plans, no details have been provided of the design or of the construction details of the means of access onto the public highway.

The Transportation Section have considered the proposals and have advised that Pantybrad Road is substandard in terms of width for safe two way vehicular movements, structural integrity, drainage and street lighting with limited areas for vehicles to pass. There is concern regarding additional hgv movements over the Glan Mychudd Fach Bridge which is currently being monitored by the Council and the anticipated impacts along Pant y Brad Road as shown in the swept path analysis. However, taking into account the limited HGV vehicular movements associated with the construction period over a short period of 2 months, no highway

objection has been raised subject to conditions requiring a Traffic Management Plan, details and design of the means of access off Pant y Brad Road, a condition survey for the extraordinary traffic use and no abnormal deliveries to take place at peak times during weekdays. In addition, in association with the development of the recycling centre, the speed limit has been lowered to 40mph along Pant y Brad Road up to the development of the recycling centre, and the structural integrity of the Nant Muchudd Bridge is to be improved, in the interests of the safety of all highway users.

The Council's Rights of Way Officer has advised that PROW Llantrisant 273 is affected by the proposed new access track and precautions should be put in place to ensure that there are no detrimental impacts to users of the public right of way in terms of public safety or public enjoyment during the development but especially during the construction period. It is considered that any impact on the PROW can be mitigated by means of a condition to secure health and safety precautions for each stage of the development.

It is therefore considered that the proposed development would be in keeping with the provisions of Policy AW5 of the LDP.

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

#### Aviation Issues

Wind turbines have the potential to pose a threat to air safety for two reasons. Firstly, they can represent a collision risk for low flying aircraft and secondly they can interfere with ground based control radar and aircraft landing instruments.

The site falls within a 30 kilometres radius of Cardiff Airport and is therefore subject to mandatory consultation. Originally, an objection was received from the Head of Airfield Operations as it was considered that the proposed wind turbine would interfere with the ground based control radar and the air traffic control operation at the airport. However, following further consideration of this matter the Head of Airfield Operations has removed the objection subject to the imposition of a condition requiring the details of mitigation measures in the form of equipment to be installed on the Cardiff Airport radar system together with a programme for its installation, prior to the proposed development commencing. Whilst it is understood that this type of equipment is still being tested in the UK and it is not yet approved for use or has the necessary licence, Cardiff Airport are confident that it would be approved for use within the next five years. It is therefore considered that aviation issues can be adequately mitigated by the insertion of a Grampian condition as worded by Cardiff Airport.

#### Cultural heritage and archaeology

The proposed development would be located within 5km of three scheduled ancient monuments (SAMs) known as GM219 Lle'r Gaer, GM267 Pen-y-Coedcae Roman Camp. GM219 is a small Iron Age hill fort located some 2.13km to the south east of the proposed turbine and GM 267 is a Roman Camp located some 3.7km to the north west and 4.3km to the south of the proposed turbine. The turbine would be clearly visible in views to the south from GM 219 and GM267 but these are considered to have a low adverse impact on the setting of these monuments. The turbine would be located in a significant view from GM267 however, there is already considerable modern development in this view and therefore adverse impact is considered to be low.

The proposed turbine would be located some 4.4km to the south of the registered Rhondda Valley Landscape of Special Historic Landscape and would be visible in the distance from the open moorland areas and in views towards the Bristol Channel This is considered to have an adverse impact on views but is assessed to be of low significance.

GGAT have advised that there are unlikely to be any archaeological features disturbed during the course of the proposed development and have raised no objection to the positive determination of the application.

It is therefore considered that the proposed development would be in keeping with the provisions of Policy AW7 of the LDP.

### Sandstone Resources

The site is identified in the Local Plan within a mineral safeguarding area for sandstone within Policy AW12.2. The proposed development is considered unlikely to unnecessarily sterilise or hinder the resources of sandstone on the application site as the proposed development is of a temporary nature with a lifespan of 20/25 years after which it would be decommissioned, dismantled and the land reinstated. The structure which would be above ground and would not substantially sterilise or hinder future extraction of the mineral, which is located beneath the site.

### Drainage matters

Were the application to be otherwise acceptable, a condition requiring the details of the treatment of surface water matters would be imposed, in order to ensure that there would be no detrimental impact on flood risk for the local environment, as recommended by the Council's Drainage Officer.

### National grid connections

The applicant has advised there would be no grid connection problems as the connection would take place from the turbine via an underground cable directly to the existing 11 KV grid connection located at the Royal Mint site.

### 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).

### Economic and Environmental Benefits

PPW and the LDP require the economic considerations of the proposed wind turbine to be considered. As the proposal involves a small scale renewable energy development, the application is required by Policy AW12 of the LDP to demonstrate that the proposal would not constrain the generating capacity of the refined strategic search area for large scale wind farm developments. As the development involves a single small wind turbine and is located outside of SSA 'F' it is considered that it would not affect any future development of a large scale wind turbine within SSA 'F'.

The applicant has advised that the proposal would primarily benefit the Royal Mint, a key local employer in supplying a discounted rate of electricity and amount to approximately 10% of their usage. However all surplus energy generation would be sold to the National Grid, which whilst not quantified would provide a small contribution in the delivery of renewable energy targets.

A letter attached to the Planning Statement from the Royal Mint has stated that access to low cost energy supplies would help the Royal Mint to reduce dependence on fossil fuel supplies, minimise environmental impact and reduce its carbon footprint.

The applicant's agent has also stated that the proposal would bring benefits to the local economy in supporting contractors for all the civil engineering and mechanical electrical works associated with the construction works and UK engineers for the operation and maintenance for the lifetime of the project.

### Community Benefits

TAN 8 Renewable Energy (2005) considers "Community Involvement and Benefits" and recognises the opportunities that large developments can provide in making contributions that benefit the community, and experience has shown that there are opportunities to achieve community benefits through major renewable energy developments including wind power. These include where developers offer benefits not directly related to the planning process. However such contributions should not impact on the decision making process, and should not enable permission to be given to a proposal that otherwise would be unacceptable in planning terms.

The applicant has advised that part of the revenue generated from the turbine would be paid into a community fund to the benefit of the local community. This would equate to £6,000 per megawatt per annum which would provide an annual benefit to

the Llantrisant community of £9,000 per annum (linked to RPI), for the 25 year period of the turbine. This would amount to over £200,000 over the period with RPI).

It should be noted however, that the community benefit is not put forward as mitigation and should not be a material consideration in the determination of this planning application.

### **Conclusion**

It is considered that having regard to all the matters raised above, it is recommended that the application be refused for the reason recommended below. It is considered that the effects on the Special Landscape Area of Mynydd Hugh and Llantrisant Forest and the effects on visual amenity of the single wind turbine outweigh the benefits of this small renewable energy development.

### **RECOMMENDATION: Refuse**

1. It is considered that the proposed turbine would result in :-
  - an unacceptably adverse impact on the character and appearance of the surrounding landscape which is located within the Special Landscape Area of Mynydd Y Glyn and Nant Muchudd Basin,
  - an unacceptably adverse impact on the views from the adjacent Special landscape Area of Llantrisant Surrounds,
  - significant adverse cumulative visual effects with existing wind farm development and
  - an adverse impact on residential visual amenity.

It is therefore considered that the turbine would be contrary to the provisions of policies AW5, AW12 and SSA23 of the Rhondda Cynon Taf Local Development Plan.

2. There is inadequate information submitted to accompany the application in terms of the expected noise levels to enable a proper assessment and determination whether the proposed turbine would be in keeping with the provisions of Policy AW10 of the LDP.

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<b>APPLICATION NO:</b>	<b>15/1049/10</b>	<b>(GH)</b>
<b>APPLICANT:</b>	<b>Ms H Williams</b>	
<b>DEVELOPMENT:</b>	<b>Retention of balcony, pagoda and decking, glass canopy over doors as indicated on submitted plans (resubmission of 15/0604/10)</b>	
<b>LOCATION:</b>	<b>FFYNON Y GOG FARM, CEFNPENNAR ROAD, CEFNPENNAR, MOUNTAIN ASH, CF45 4EE</b>	
<b>DATE REGISTERED:</b>	<b>28/07/2015</b>	

## ELECTORAL DIVISION: Cwmbach

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### RECOMMENDATION: Refuse

#### REASONS:

By virtue of its scale, form and design, the balcony is considered to detract from the character and appearance of the existing building and is visually intrusive and detrimental to the rural character of the site and the surrounding area, which is designated as a Special Landscape Area. As such, the retention of the development would be contrary to Policies AW5, AW6, AW7 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

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### APPLICATION DETAILS

This is a re-submission of an identical application (15/0604/10) which was refused planning permission on 1<sup>st</sup> July 2015. This sought full planning permission to retain a range of developments within the curtilage of Ffynnon-Y-Gog Farm, Cefnpennar, consisting of the following elements:

**Pagoda:** A large octagonal building with a pitched roof supported on eight posts, rising by around 1m to a central point. It has been part-enclosed to waist level by horizontally arranged decking boards. More decking boards have been used to create the floor of the pagoda, with bench seating arranged around the internal perimeter.

**Decking:** This covers a surface area of around 139m<sup>2</sup> and has been laid around the south-eastern facing gable end of the property; with part wraparound the front and rear elevations. A smaller section of this has been built to a higher level, by approximately 20cm, to match the step in terrain.

**Balcony:** This has been constructed from a timber frame to a height of around 2.5m, with standard decking board forming the surface. It has a square footprint with depth and width of approximately 3m. The perimeter of the balcony, access to which is gained via the first floor, has been established by the erection of a clear glass balustrade, with supporting posts of stainless steel appearance.

Further to the descriptive detail above, it is evident that all of the timber used to construct these structures has been stained to a matching mid-brown/chestnut shade.

In addition, it was proposed to construct a **clear glass weather canopy** above two entrance doors contained within the south-west facing elevation. The canopy would have a depth of 1.4m and width of 5m, although final design details have not been confirmed by the applicant.

The previous application was determined and refused, as whilst the pagoda, decking and canopy were considered satisfactory, the balcony was not. The only difference between the previous application and that now submitted is that the re-submitted application has been accompanied by a statement from the applicant's agent, summarising why it should be permitted.

The key points raised by the applicant's agent are:

- Wooden structures have often been attached to rural dwellings and the balcony is reversible.
- The Cadw guidelines relate to changes to the buildings. The balcony is largely permeable and does not affect the overall form of the pine end.
- The Local Planning Authority has already agreed to previous changes to the building, including the decking and pagoda.
- Full height glazed doors were previously permitted in the pine end, which has a visual effect.
- The balcony is hardly discernible from the wider landscape and cannot, therefore, have a significant negative impact on character.

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

This application is presented to members for determination following the receipt of three neighbour letters of support, similar in both content and style, during the consultation period; and are therefore contrary to the recommendation of refusal.

## **SITE APPRAISAL**

The application site is situated in open countryside, outside the settlement boundary of Cefnpennar and within a Special Landscape Area. The site is readily visible from the surrounding countryside including public footpaths to the south and west and the golf course to the south.

The application property, a former Welsh longhouse, has been subject to a process of renovation and alteration following an earlier planning consent (12/1101/10). Consequently, the appearance of the dwelling and immediate curtilage has a much modernised appearance and form. Originally, the property would have been of stone construction with slate roof and ridge tiles, and records suggest that it occupied the site from at least 1833.

The farmhouse, together with other surrounding agricultural buildings, are part of a larger agricultural holding, although the substantial area of amenity associated with the dwelling itself, and in its immediate vicinity; has been laid to decking, Cotswold pebble and shale gravel. The amenity space is enclosed by a combination of dry stone wall and/or ranch-style timber fencing.

There are two other residential properties approximately 60 metres to the east and further properties to the south and south-east, along Cefnpennar Road.

The site is accessed from Cefnpennar Road to the south along an access-controlled single track lane, which also serves a large radio mast occupying a plot of the applicant's land, to the south-west of the farmhouse.

## PLANNING HISTORY

The following planning applications are on record associated with this site:

15/0604/10	Retention of balcony, pagoda and decking, glass canopy over doors as indicated on submitted plans.	Refused 01/07/15
12/1101/10	Refurbishment and renovation including raising roof and change of use of part of building to be included within existing farmhouse (amended plans received 12/02/13 now retaining roof as existing, with roof lights to replace dormers, and amended elevations received 12/03/13).	Granted 23/04/13
12/0765/10	Refurbishment/renovation with single and two storey extensions and balcony to end of first floor bedroom	Withdrawn 03/12/12

## PUBLICITY

The application has been advertised by direct notification to two neighbouring properties. Three letters have been received in support of the application.

## CONSULTATION

No consultation responses have been received.

## POLICY CONTEXT

### Rhondda Cynon Taf Local Development Plan

The application site lies outside of the settlement boundary; and within open countryside designated as a Special Landscape Area.

**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** - stipulates criteria in relation to development and protection of the built environment including buildings with historic merit.

**Policy AW9** – works to existing buildings in the countryside required to accommodate new uses should be in scale with the building and wider landscape.

**Policy NSA25.5** – requires that development within the Cynon Valley Northern Slopes Special Landscape Area conforms to the highest standards of design, siting, layout and materials appropriate to the character of the area.

### 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) and Chapter 4 (Planning for Sustainability), 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

Paragraph 5.8.4 states that in relation to the conversion or adaptation of agricultural buildings, character retention will often involve the least amount of change possible to external appearance. Solidity and simplicity in design and relationship of built form with landscape provide the distinctive character of many Welsh rural areas.

### Cadw Converting Historic Farm Buildings In Wales: A Guide to Good Practice 2004

This publication advises that recent years have seen an increased threat to traditional farm buildings from diversification - changes in agriculture and restrictions on new build in the countryside has led to an increase in demand for existing buildings to be converted. The guidance goes on to suggest that if the conversion no longer resembles the building it once was, it is effectively a new dwelling in the countryside:

*'A farm building that has sat almost unnoticed in the landscape for hundreds of years and performed the same function day in, day out demands a light hand in conversion, or it will suddenly stand out within, rather than blend into, its environment.'*

It is also emphasised that the conversion should be adapted to the building, rather than changing or extending the building to suit the new use and the building should retain the appearance of the farm building it once was.

### **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 relates to development within the curtilage of an existing residential property which has resulted from the conversion of a former Welsh longhouse. Whilst the principle of this form of development within an urban setting is generally acceptable, the location of the building within the open countryside and Special Landscape Area requires assessment against a number of criteria, as set out below.

### **Impact on the character and appearance of the area**

The development, taken as a whole, is considered to be unacceptable in terms of its design, siting, and overall visual appearance.

It is considered however that the decking that has been constructed within the curtilage of the farmhouse, although covering a significant area of ground, is sufficiently screened and at a level where it is likely to have a minimal detrimental impact to the setting. Likewise, the large pagoda structure is of a relatively simple form and layout. It is separated by sufficient distance from the dwelling and part-screened by the boundary treatments, such that it does not detract from the farmhouse and surrounding landscape.

With regard to the proposed glass canopy, this would, by virtue of its scale and transparent nature, be considered acceptable in principle. Correspondingly, if the application was recommended for approval, a condition would be suggested requiring prior submission and approval of the design and materials. The timber balcony and glass balustrade are not however considered to be an acceptable addition to the farmhouse for the following reasons:

Policy NSA25, which identifies the site and surrounding area as part of the Cynon Valley Northern Slopes Special Landscape Area, requires development to be of the highest standards of design, siting, layout and form. Policy AW5 also stipulates that any development should not have an unacceptable impact upon the character and appearance of the site.

Similarly, Policy AW6 notes that development proposals should be appropriate to the local context and 'reflect, complement or enhance the form, siting, materials, details and character of the original building...,' Policy AW7 suggests that proposals that impact upon sites of architectural or historical merit should seek to enhance or preserve.

Lastly, Policy AW9 also requires works required to accommodate new uses should be in scale with the building and wider landscape, which was a key consideration at

the time the previous application for the renovation of the longhouse was determined (12/1101/10).

Against this policy background, it is judged that the appearance of the balcony, being located at the prominent south-east facing gable end, represents an incongruous addition, and one which detracts rather than enhances the farmhouse. Correspondingly, although the agent's view regarding the historic practice of wooden structures being attached to rural buildings may be correct, there is a great difference between a rustic or ramshackle lean-to and the very modern timber and glass structure presented in a prominent position at first floor level.

The balcony therefore fails to reflect the form or character of the original building and the agent's note that a wooden structure is temporary or reversible is misleading as the current application is for a permanent consent.

In consideration of the agent's other submissions for retaining the balcony, the Cadw guidance does not just focus on changes to the building themselves, they are about form, function and appearance, and enabling modern-day usage without destroying character. The balcony is not largely see through nor blends into the gable end, but projects forward at a high level. This is why the decking and pagoda are judged to be acceptable, because their low position and detachment from the elevations of the property underlines their subservience, contrary to that of the balcony, which forms a prominent and unsympathetic addition to the building. The glazed door forming part of the pine end has an insignificant effect in comparison with that of the balcony, which is readily visible from nearby footpaths.

Lastly, it is noted that a proposed balcony formed part of application 12/0765/10, which was withdrawn, and this balcony feature was also removed from the later submission 12/1101/10, through negotiation with the applicant and her planning agent. The Design and Access Statement which accompanied the latter application, and which was produced by the same planning agent as the current application, stated that one of the ways the amended proposal aimed to reflect the character and basic form and function of the building, was by 'eliminating the two storey extension and veranda to the south'. It therefore follows and confirms the view that the introduction and proposed retention of the current balcony does not respect the character and basic form of the building and is contrary to Policy AW6.

In conclusion, it is considered that the balcony development is unacceptable, is contrary to both local and national planning policy and guidance with regard to the maintenance of converted rural buildings; and both diminishes and detracts from the character and appearance of the area.

### **Impact on residential amenity and privacy**

The location and context of the site ensures that although the existing and proposed structures may be able to be seen from positions outside of the site boundary, none of these would have any direct impact on neighbouring residents, whose properties are located at some distance away.

Therefore, the developments are not considered to have a significant overshadowing or overbearing impact upon the surrounding neighbouring properties

Similarly, and due to the absence of any immediate neighbouring dwellings, neither the balcony, pagoda or decking are likely to have a detrimental impact on privacy or amenity, caused by overlooking or via their use.

Consequently, in terms of the impact on the amenity and privacy of neighbouring residents, no issues are raised.

**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**

By virtue of its scale, form and design, the balcony is considered to detract from the character and appearance of the existing building and is visually intrusive and detrimental to the rural character of the site and the surrounding area, which is designated as a Special Landscape Area. As such, the retention of the development would be contrary to Policies AW5, AW6, AW7 and NSA25 of the Rhondda Cynon Taf Local Development Plan.

**RECOMMENDATION: Refuse**

1. By virtue of its scale, form and design, the balcony is considered to detract from the character and appearance of the existing building and is visually intrusive and detrimental to the rural character of the site and the surrounding area, which is designated as a Special Landscape Area. As such, the retention of the development would be contrary to Policies AW5, AW6, AW7 and NSA25 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**

**DEVELOPMENT CONTROL COMMITTEE**

**5 NOVEMBER 2015**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATIONS RECOMMENDED  
FOR REFUSAL**

**OFFICER TO CONTACT**

**MR. J. BAILEY  
(Tel: 01443 425004)**

**See Relevant Application File**