

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2017-2018:**

**PLANNING & DEVELOPMENT  
COMMITTEE  
7 SEPTEMBER 2017**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	Agenda Item No. 6
<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	

**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: 15/1390 - Construct block boundary wall and steps leading to patio and tiered garden (amended plans received 20/07/17), 38 Miskin Road, Trealaw, Tonypandy.
2. Application No: 17/0454 - Modifications to the rear annexe and general refurbishments to facilitate change of use from the existing Public House with 13 Hotel rooms (Use Class A3 + C1) to a mixed use to include a bistro café, restaurant (Use Class A3), retention of the Hotel rooms, bakery (A1) and micro brewery (B2), Cardiff Arms Hotel, Bute Street, Treorchy.
3. Application No: 17/0499 - Conversion/change of use into 2 No 3 bedroom terraced residential dwellings. The Former Royal Oak Public House, Llanwonno Road, Mountain Ash.
4. Application No: 17/0585 - Installation of a telecommunications base station and mast including 2 No 300mm dishes together with associated equipment cabinets and ancillary development thereto (Amended Plans received 2nd August 2017), land at Nant Y Dwrgi, Llanharan.
5. Application No: 17/0706 - Alterations to form a new french window to provide access from the restaurant area onto a new external timber deck providing external dining, Trebanog Arms Public House, Trebanog Road, Trebanog, Porth.
6. Application No: 17/0733 - Change of use from MOT centre and car

sales to MOT centre and car hire, J W Cars, Cardiff Road, Rhydyfelin, Pontypridd.

7. Application No: 17/0745 - Proposed installation of a telecommunications base station with 17.5m monopole mast, supporting 3No antennas, 2No 300mm dishes together with associated cabinets and ancillary development thereto, land at Ynyshir Road, Porth.
8. Application No: 17/0772 - It is proposed to take down an existing flight of steps and platform leading to the lower garden and construct a new decking area with a new set of steps, 180 Tyntyla Road, Llwyn-Y-Pia, Tonypany.
9. Application No: 17/0784 - Proposed installation of a telecommunications base station with a 22.5M monopole, supporting 3 no antenna, 2 no 300mm dishes together with associated ground based cabinets and ancillary development thereto, land at Abergorki Industrial Estate, Treorchy.
10. Application No: 17/0793 - New build, mixed-use development providing predominately B1 space but with ancillary A3, D1 and D2 uses in the form of three new buildings above a common basement providing car parking and servicing areas, site of former Taff Vale Shopping Centre, Taff Street, Pontypridd.

## **APPLICATIONS RECOMMENDED FOR APPROVAL**

**APPLICATION NO:** 15/1390/10 (KL)  
**APPLICANT:** Mr & Mrs Philip & Jacqueline McCarthy  
**DEVELOPMENT:** Construct block boundary wall and steps leading to patio and tiered garden (amended plans received 20/07/17).  
**LOCATION:** 38 MISKIN ROAD, TREALAW, TONYPANDY, CF40 2QJ  
**DATE REGISTERED:** 20/07/2017 08:55:07  
**ELECTORAL DIVISION:** Trealaw

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**RECOMMENDATION:** Approve

### **REASONS:**

Whilst three letters of objection have been received, the amended scheme now under consideration overcomes the previous concerns raised in relation to the visual impact of the proposal. Furthermore, the application is considered to be acceptable in terms of the impact it has upon the amenity and privacy of neighbouring residential properties. The front boundary wall is not proposed to be removed as part of this application.

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### **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 elevated patio areas, a block boundary wall and associated steps within the front garden of no. 38 Miskin Road, Trealaw.

The application is partially made in retrospect in that the elevated patio areas have already been constructed. The resulting garden is split into 3 separate areas: lower garden area, middle garden area and upper garden area. The patio areas measure 5.4 metres in width by 5.1 metres, 2.9 metres and 3.7 metres in length respectively. The lower garden level consists of the original garden levels, however, the middle and upper areas are elevated by 1.04 metres and 0.73 metres (from original garden levels).

A concrete boundary wall has been partially constructed along the southern side boundary of the upper garden area with this measuring between 1.2 metres and 2.8 metres in height (from the raised garden level). This is increased to 2.3 metres and 3.7 metres in height when viewed from the adjoining garden to the south (no. 39).

A set of concrete steps have also been constructed along the concrete boundary wall from the upper garden area up to the raised patio area which was approved under a previous application (planning ref. 13/0032). They measure 1 metre in width by 3 metres in length with a maximum height of 1.4 metres in height from the raised garden level.

Following initial concerns with regard to the visual and overbearing impact of the wall and the overlooking issues associated with the steps, amended plans have been submitted to address these issues. The amendments would result in the steps being re-located towards the centre of the upper garden area with a 1 metre wide platform being created parallel with the existing raised patio area to provide access through the existing access point at the southern boundary. Part of the concrete boundary wall would also be reduced in height to provide a consistent height of 1.2 metres from the raised garden level and 2.3 metres from the adjoining garden level. A 1 metre section would be retained at 2.8 metres (3.7 metres from adjoining garden level) to provide a safety barrier for the platform created at the top of the re-located steps.

The plans indicate that the concrete boundary wall would be continued along the middle and lower garden levels with these measuring 1.2 metres in height from the raised garden level and 1.6 metres from the adjoining garden level and 0.7 metres in height from the original garden levels respectively.

## **SITE APPRAISAL**

The application site relates to a two-storey, mid-terrace property which is located on the main carriageway through the village of Trealaw. The property faces a westerly direction with the principal elevation being set back from the adopted highway by a large, enclosed garden. Ground levels slope up from the highway, resulting in the dwelling being positioned well above the level of the road.

The surrounding area is predominantly characterised by residential properties with those immediately adjacent to the application property being of a similar scale, design and ground level. It is noted that there are several examples of tiered gardens within the street scene, as well as various different types and heights of boundary treatments. The garden immediately to the south of the property (that of no. 39), however, has not been developed and appears to present the original sloping ground levels.

Images from 2009, prior to any works being carried out at the application site, indicate that the original garden levels of the application property are similar to those at the adjacent property, however, the middle section sits on a slightly steeper incline, resulting in this section of the garden being of a higher ground level.

## **PLANNING HISTORY**

15/0806	37-38 Miskin Road, Trealaw	Removal of front boundary wall and excavation of garden area to facilitate a parking area for 4 cars	Refused 17/09/15  Appeal: DIS 21/06/16
15/0489	38 Miskin Road, Trealaw	Application for a non-material minor amendment to previously approved application 13/0023 to amend roof cover from slate to mineral felt and change to roof pitch	Granted 29/04/15
13/0023	38 Miskin Road, Trealaw	Single storey front extension and patio area	Granted 11/07/13
12/0371	38 Miskin Road, Trealaw	Conservatory to front, patio areas and boundary walls	Refused 25/02/12

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification. One letter of objection was received in relation to the initial plans submitted in 2015 and this is summarised as follows:

- There is already a perfectly good and safe boundary wall at the property and more than adequate steps;
- Concern is raised that the owners might be attempting to obtain off-street parking in their present application but this has previously been refused.
- There is no need for the present application.

Following the submission of amended plans, further neighbour notification letters were sent out to which three letters of objection have been received (one being from the same objector as indicated above). The objections are summarised as follows:

- There is no reason to move the boundary wall other than for off road parking in which the previous application was turned down;
- If this is a way to move the wall back and start parking there informally, this will cause even more parking problems;
- Cars speed regularly at dangerous speeds on this part of the road and the proposal could lead to fatal accidents with cars pulling out blind into the road;
- There are already steps leading to the property including additional steps which were constructed to the new extension;

- The garden is already tiered;
- Moving the wall will cause the visual character of the street to change, as has the extension which has recently been constructed at the front;
- Planning permission was previously granted for a conservatory at the front of the property but this was amended later to a single storey extension. This meant that no one was informed of the amended application;
- The extension is not pleasing to the eye;
- The appropriate time for this application was the time when they applied for permission to build the extension;
- If the applicant does not intend removing the existing steps, then additional steps are not required and will simply add to the less than pleasing view from my property;
- The patio area is never used by the owner since its erection.
- There are no merits in the proposed application and it should be refused.

## **CONSULTATION**

Structural Engineer – no objection.

Wales and West Utilities – no objection.

Welsh Water – no objection.

## **POLICY CONTEXT**

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

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

**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.

### **Supplementary Planning Guidance**

SPG Design and Placemaking

SPG Design Guide for Householder Development

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

The application relates to development within the garden curtilage of an existing residential dwelling and the principle of development is therefore acceptable subject to the criteria set out below.

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

The proposed development is currently considered to form a particularly prominent addition to the street scene, however, this is primarily due to its unfinished appearance in that the concrete blocks of the raised patio areas and boundary wall have been left bare. The scale, height and overall visual bulk created by the proposal is not considered to be significantly different to other raised patio area developments visible in the immediate street scene and, providing that the development is finished in a colour to complement the host property, it is not considered that it would have such an adverse impact on the character of the wider street scene that it would warrant the refusal of the application. A condition is therefore recommended to secure an acceptable finish which would ensure that the works blend in more successfully within the street scene.

In terms of the steps that have been constructed from the upper garden area to the raised patio, the plans indicated that they would be relocated to a more central position within upper garden area which would result in the reduction in height of the boundary wall that has already been constructed to the southern side boundary. It is considered that this would acceptably reduce the overall visual bulk of the development and would therefore be a vast improvement to the current situation.

Consequently, it is not considered that the proposal would have a detrimental impact on the character and appearance of the surrounding area and the application would therefore comply with Policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

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

As mentioned above, the proposed raised patio areas are similar in height and scale to those visible at other properties along the eastern side of Miskin Road. However, there is some concern with regard to the height of the boundary wall which has already been constructed at the southern boundary. The wall currently measures 3.7 metres in height from the garden level of the adjacent property to the south (no. 39) and it currently has a significant and unacceptable overbearing impact on the front garden of the adjoining residential property. These concerns were discussed with the applicant and amended plans were subsequently submitted which indicate that the majority of this section of wall would be reduced in height to 2.3 metres from the ground levels of the adjoining garden. Whilst a small section would be retained at 3.7 metres in height, this would relate to a length of 1 metre which would provide a safety barrier for the platform at the top of the steps. As such, it is not considered that this would significantly impact on the residential amenity of the adjoining neighbour.

The steps at the upper garden area in their current location also give rise to unacceptable views into the front window of no. 39, particularly when the occupiers of the application property climb the steps to access the upper patio area. The proposal to relocate the steps to a more central position within the upper garden area would significantly reduce this impact, although it is noted that some views would still be available from the newly created platform level at the top of the steps. However, it is considered that the level of overlooking would be significantly reduced and it is not considered that it would be so harmful to residential amenity and privacy of no. 39 that it would be reason to refusal the application.

Consequently, the proposal is considered to be an improvement to the current situation in terms of the impact it would have on the residential amenity and privacy of the nearest neighbouring properties. The concerns raised have therefore been adequately addressed and the application is considered to comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **Concerns raised by objector**

The application has been the subject of several objections from surrounding neighbouring properties. Having regard to the representations received the following comments are offered:

- The application is made in retrospect and relates solely to the raised middle and upper garden areas, the boundary wall to the side (right) and the steps from the upper garden area to the patio area.
- The boundary wall to the front of the property and the original steps to the left hand side of the garden would not be altered therefore off-street car parking could not be provided as a result of this proposal and it would not result in any cars reversing into or out of the site.
- The purpose of this application is to regularise the works that have already been undertaken at the site, although the plans indicate that the side wall would be reduced in height and the steps from the upper garden area to the patio area would be relocated;
- The original steps leading to the property will be retained. The additional steps that have more recently been constructed would be re-located to have a lesser impact on the property immediately adjacent and the visual character of the street would therefore be retained in this respect.
- An application for a conservatory and patio area to the front of the property (planning ref. 12/0371) has previously been refused at the site and an application for an extension and patio area was subsequently submitted (13/0023). Neighbour notification letters were sent out to local residents on both applications, however, no letters of objection were received in relation to either application;
- The visual amenity of the extension and patio area to the front of the property were considered and subsequently approved under planning application 13/0023. They do not form part of this application and therefore cannot be a reason to refuse the application;
- Whilst it would have been beneficial for all of the works to the front garden to be submitted as part of the application for the extension, the applicant may have decided to carry out these works at a later date.
- Whether or not the patio area is used by the owner is not a material planning consideration and would not be a valid reason to refuse the 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**

It is not considered that the proposal would have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5 and AW6).

**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 20<sup>th</sup> January 2017, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.:

- Drawing No. NM-01/1: Proposed Layout Plan;
- Drawing No. NM-02/1: Proposed Sections;
- Drawing No. NM-03/1: Proposed East Elevation;
- Drawing No. NM-03/1: Proposed West Elevation.

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

3. Within 3 months of the date of this decision, the concrete boundary wall and supporting concrete blocks of the raised garden areas hereby approved shall be painted in a colour to complement the finish of the host property.

Reason: To ensure that the development is in-keeping with the host property and in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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**APPLICATION NO:** 17/0454/10 (BJW)  
**APPLICANT:** V W Estate Ltd  
**DEVELOPMENT:** Modifications to the rear annexe and general

refurbishments to facilitate change of use from the existing Public House with 13 Hotel rooms (Use Class A3 + C1) to a mixed use to include a bistro café, restaurant (Use Class A3), retention of the Hotel rooms, bakery (A1) and micro brewery (B2).

**LOCATION:** **CARDIFF ARMS HOTEL, BUTE STREET, TREORCHY, CF42 6BS**  
**DATE REGISTERED:** **28/04/2017**  
**ELECTORAL DIVISION:** **Treorchy**

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**RECOMMENDATION:** **Approve**

**REASONS:**

The proposed external works and internal refurbishment are considered to be in keeping with the character and appearance of the surrounding area and, subject to appropriate conditions, would not adversely impact on the amenity of neighbouring properties.

The renovations and additional commercial units would add to the viability and vitality of the retail centre, would create increased employment opportunities, would support local businesses and providers and would bring a prominent landmark building back into beneficial use.

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**REASON APPLICATION REPORTED TO COMMITTEE**

The application re-establishes the use of the premises as a mixed use that would include a public house (albeit a bistro) and this use is not covered by determination powers delegated to the Service Director, Planning.

**APPLICATION DETAILS**

The application seeks consent for the internal refurbishment and external works to the Cardiff Arms Hotel, Bute Street, Treorchy.

Specifically, the application seeks the following works:

- Internal refurbishment of the existing bar area to create an open-plan bistro and cafe area.
- Internal refurbishment of existing rooms on first floor to create 8 no. en suite rooms and a conference room.

- Internal refurbishment of existing rooms on first floor to create 5 no. en suite rooms.
- Creation of a new micro brewery unit.
- Creation of a new Bakery unit.
- Installation of a new main front door.
- Installation of 2 no. new double doors to serve the micro brewery, bakery and also allow access to the rear beer garden/play area.
- Installation of 2 no. new doors from bistro/cafe area to the rear beer garden/play area.
- Blocking up of 1 no. existing ground floor window in the rear elevation of the property.

The application is accompanied by a supporting statement that includes the following details:

- The project will provide 11 full-time jobs in the bistro-cafe-restaurant
- 3 virtual full-time jobs for marketing and bookings for the hotel
- Will provide jobs during renovations for up to 10 companies
- Food will be delivered from local farmers
- There will be 100+ seats in the cafe to enjoy and socialise
- Will provide beds for up to 26 guests
- The micro brewery will provide beer made on the premises and allow visitors to observe the brewing process
- The bakery will provide fresh bread and pizza

The application is also accompanied by a bat survey, provided following the initial observations of the Council's Ecologist due to the works to the roof of the premises.

## **SITE APPRAISAL**

The application site consists of the Cardiff Arms Hotel, which is prominently located on the junction of Bute Street and Cemetery Road on the main route through the built up area of Treorchy.

The building is centrally located and falls within a defined retail centre of the Local Development Plan. The large, three-storey building (including the useable roof space) appears as a distinctive and characteristic building of the Victorian era. It is notable for its design, scale and use of materials with contrasting render and red brick dressing to its most prominent elevations.

The window arrangement of the building has a strong vertical emphasis, mainly consisting of white uPVC window frames. The building has an expansive roof space with large gable features facing Bute Street and four dormer windows on the Cemetery Road elevation. The hotel/guest room facilities over the first and second floor of the building have fallen into disrepair over recent times.

To the rear of the main building is an original stable block that benefits from contrasting stone elevations. The ground floor of the building has previously been upgraded and remained open as a public house. There is an enclosed yard area to the rear of the building and an open seating/beer garden area directly to the front of the building.

A variety of differing uses are located within the immediate vicinity of the application site. Opposite the application site on the southern side of Bute Street is the former Treorchy Conservative Club and St Matthew's Church.

These buildings, including the application property, represent a collection of buildings with a certain historic interest and a collective distinctiveness. A double glazing salesroom is situated to the east of the site with terraced residential properties adjoining the west of the site. Beyond the narrow access lane that abuts the rear of the site are further terraced properties.

#### **PLANNING HISTORY (most recent)**

15/0017	Cardiff Arms Hotel, Treorchy	Rear extension and refurbishment. Works to include increase in number of hotel rooms to 13 and alterations to ground floor bar area and the erection of a low boundary wall around the front beer garden area (Resubmission).	Granted 09/03/15
12/1303	Cardiff Arms Hotel, Treorchy.	Rear extension with internal and external refurbishment (works to include increase in number of hotel rooms to 13 and alterations to ground floor bar area and the erection of a low boundary wall around the front beer garden area)(Amended Plan Received 15/05/2014)	Refused 02/07/14
89/0794	Cardiff Arms Hotel, Treorchy.	Proposed internal alterations and conversion of living room into kitchen in licensed premises	Granted 28/12/89
89/0634	Cardiff Arms Hotel, Treorchy.	Proposed alterations to bar and new women's lavatory	Granted 04/09/89

## **PUBLICITY**

This has included site notices and the direct notification of properties surrounding the site. One response has been received, the main points of which are detailed below:

- I am concerned that the front forecourt will be used for activity for the cafe with attendant tables and chairs or for car parking. I think the area should be kept clear as this would cut down the noise that would affect local residences at all hours, maybe late into the evening.

## **CONSULTATION**

Transportation Section – there is concern that the proposal does not provide for any off-street car parking provision leading to on-street car parking to the detriment of safety of all highway users. However, taking into account the proposed is located in a sustainable location in the heart of the community where a number of trips will take place on foot and be cross linked with other trips to the town centre and the proposal requires a lesser car parking requirement 18 spaces than the previous proposal on balance the proposed is acceptable subject to a highway condition in relation to the vehicular crossover on Cemetery Road.

Land Reclamation and Engineering (Drainage) – no objection.

Public Health and Protection Division – no objection subject to suggested conditions to restrict the hours of operation during construction; details of a system to suppress and disperse odours generated by the businesses, including noise suppression and details of a system for the prevention of waste, cooking oil, fat, grease and solid waste from entering the foul drainage system. Additionally, suggests informative notes for the minimisation of noise dust and waste.

Natural Resources Wales (NRW) – no objection.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary of Treorchy and is within the retail area of a Key Settlement (Treorchy - Policies NSA18.2 and NSA19 refers).

**Policy CS1** - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

**Policy AW2** - supports development in sustainable locations.

**Policy AW5** - lists amenity and accessibility criteria that will be supported in new development proposals.

**Policy AW6** - lists design and place making criteria that will be supported in new development proposals.

**Policy NSA18.2** - designates the area as within the retail centre of a Key Settlement (Treorchy) and supports development that would maintain or enhance a centre's position in the retail hierarchy.

**Policy NSA19** – states that proposals for Class A1, A2 and A3 uses in retail centres will be permitted provided that they add vitality and viability to the retail centre by attracting footfall that benefits the daytime and evening economy.

## **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 sustainability), Chapter 7 (Economic Development) and Chapter 10 (Planning for Retail and Town Centres).

### **Planning Policy Wales Technical Advice Note 12 Design**

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 current application is similar to the previously approved permission, under reference no. 15/0017, which sought the general refurbishment and upgrading of the Cardiff Arms Hotel, Treorchy and included the internal and external fabric of the building and the erection of a large rear extension.

The current application seeks a similar upgrading and refurbishment of the existing commercial uses at the site (a licensed premises with hotel accommodation) as well as complementary commercial uses as a micro brewery and bakery (B2 and A1 uses respectively).

The application building is located within settlement limits and within the boundaries of the retail centre of Treorchy, which is defined as a key settlement within the Local Development Plan. The building is therefore within walking distance of a number of local amenities and public transport links.

Planning policy promotes the re-use of existing buildings in sustainable locations with such proposals assisting regeneration and at the same time relieving pressure for development on greenfield sites.

The principle of the proposal to upgrade and refurbish such a prominent, centrally located building is therefore welcomed and supported in this instance. The proposal would effectively rehabilitate a decaying building and reinstate the original use of the site as well as modernise its facilities and add to its appeal through the addition of complementary commercial uses.

In terms of the internal works to the property, these are largely the reconfiguration of rooms and access arrangements to modernise, improve and facilitate access and safety requirements. As such, these are considered to be “permitted development” as they are within the existing envelope of the property.

However, the provision of additional commercial units and the installation of additional rear facing windows and new door openings are material alterations to the property and require planning permission. In this regard it is considered that the provision of additional commercial units within a sustainable location, close to alternative modes of transport would increase the commercial appeal of the property and be broadly acceptable.

Additionally, the new window and door openings are considered to be minor material alterations that would also be broadly acceptable. The other implications of the alterations will be more fully considered later within the report.

### **Impact on the retail centre of a Key Settlement (Treorchy)**

The site is within a retail centre of a Key Settlement, the town of Treorchy. As such developments for retail units and other uses should enhance or maintain the centre’s position within the retail hierarchy.

As detailed above, the premises already benefits from a historical A3 use as a public house as well as a more recent approval for an operation as an extended public house. The proposal for a cafe/bistro/restaurant use, also within the A3 use class, would add bring the property back into beneficial use while the complementary retail

uses would also add to the mix of shops within the retail area and consequently, to the vitality and viability of the area.

Consequently, it is considered that the proposal would positively meet the requirements of the policy for the retail centre and maintain and enhance the centre's position in the retail hierarchy and is acceptable.

### **Impact on neighbouring properties**

While the use of the commercial element of the property is proposed to be altered, this would be facilitated by internal works to the existing spaces and would be considered permitted development. The main use of the property would be within the same A3 use class that covers public houses and restaurants while the other uses would be B2 (micro brewery) and A1 (bakery) respectively.

However, the property would be subject to an application for a new licence as the new owner is not the previous licensee. This would allow further scrutiny and control of the operation of the property by the Local Authority.

The external alterations would not allow any additional overlooking onto properties than would currently be the case and it is therefore considered that the proposal would not have an additionally detrimental impact in this regard.

### **Effect on the visual amenity of the area**

The property was in a disused and dilapidated condition since its ceased trading around 2013 and was visually detrimental to the character and appearance of the surrounding area.

It is considered that the majority of works being carried out are internal works and external repairs. The main external alterations are the new window and door openings as the current application does not include the large extension that was subject to planning approval 15/0017.

It is considered that the renovation works to the existing external facades of the property would improve the visual appearance of the building. With regard to the external alterations, it is considered that these form a minor, sympathetic and suitable addition to the property that is acceptable in visual terms.

### **Highway safety**

The Transportation Section has raised no objection to the application on highway safety grounds. This view acknowledges that there is concern that the proposal does not provide for any off-street car parking provision leading to on-street car parking to the detriment of safety of all highway users. However, taking into account the proposed is located in a sustainable location in the heart of the community where a

number of trips will take place on foot and be cross linked with other trips to the town centre and the proposal requires a lesser car parking requirement 18 spaces than the previous proposal on balance the proposed is acceptable subject to a highway condition

### **Other issues**

The responses received from neighbouring properties are acknowledged and the following comments are offered:

There has been no mention made of the front forecourt of the premises within the planning application, however this was historically used in connection with the previous use of the property as a beer garden. Queries with the agent have confirmed that it is the intention to use the forecourt as a sitting out area. On the basis that this was an established use for this area that would not be intensified by the current application it is considered that this would be acceptable.

A beer garden was approved on the front as part of the previously approved scheme, ref. no. 15/0017, with a walled means of enclosure also included. There is no indication that the area would be used as a parking facility and a further consent would be required if this were to be sought.

In terms of the comments received and the suggested condition in relation to restriction of hours of operation during construction it is considered that this is more appropriately dealt with under other legislation.

### **Community Infrastructure Levy (CIL)**

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 application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

### **Conclusion**

The application is considered to be acceptable in terms of its impact on the amenities of neighbouring residential properties, its effect on the retail centre of a key settlement (Treorchy), the visual amenity of the area and highway safety considerations in accordance with Local Development Plan Policies (AW5, AW6, AW10, NSA18.2 and NSA19).

**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):

Location Plan

Block Plan

Proposed floor plans and elevations, drawing no. hdw/ph/vw.002

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 in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. The external materials of the proposal shall match as near as possible the materials of the existing.

Reason: To ensure that the extension is in keeping with the existing building in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to the use, hereby permitted, commencing a scheme of odour/effluvia/fume control and noise levels shall be submitted to and approved in writing by the Local Planning Authority. The building/premises shall thereafter only be operated in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of adjoining properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local

Development Plan.

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**APPLICATION NO:** 17/0499/10 (EL)  
**APPLICANT:** Mr Garreg Jones  
**DEVELOPMENT:** Conversion/change of use into 2 No 3 bedroom terraced residential dwellings.  
**LOCATION:** THE FORMER ROYAL OAK PUBLIC HOUSE, LLANWONNO ROAD, MOUNTAIN ASH  
**DATE REGISTERED:** 22/05/2017  
**ELECTORAL DIVISION:** Penrhiwceiber

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**RECOMMENDATION:** Approve

**Reasons:**

The proposal would bring back into use a prominent building on a busy road, by providing 3 no. residential units within the fabric of the original structure. The impacts upon the character and appearance of the area, residential amenity and highway safety are all considered acceptable and therefore accord with the requirement of the Local Development Plan.

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**REASON APPLICATION REPORTED TO COMMITTEE**

- Three or more letters of objection have been received.

**APPLICATION DETAILS**

Full planning permission is sought for the refurbishment and change of use of the former Royal Oak Public House, Llanwonno Road, Mountain Ash.

The scheme involves the conversion of the existing building to form 2 no. 3-bedroom residential units. The building would effectively be divided into two (in a vertical alignment) to create a pair a semi detached dwellings. The proposed dwellings would have accommodation over three floors. At lower ground floor level would be a family room and cloakroom; with kitchen, lounge and bathroom at ground floor level and 3 no. bedrooms and further bathroom at first floor.

The conversion would be undertaken largely within the fabric of the existing building with no increases in the either the ridge or eave line. An existing ground floor

addition to the rear would be demolished and replaced by a balcony, which would serve the ground floor living spaces (to the rear). The proposed balcony would span the width of the rear elevation and extend to a depth of 2.6 metres. Its design incorporates a privacy screen to the southern elevation of the balcony, which adjoins 51 Llanwonno Road. Changes to the pattern of fenestration are also proposed to reflect the proposed internal layout, adaptations to the fenestration to the front elevation would be limited.

The application also involves the formation of small car parking area to the north (side) of the building. This would utilise an existing vehicular access off Llanwonno Road.

Works at the site have commenced, with the partial implementation of an earlier approved scheme. However, the current application has been submitted to allow the competition of the scheme with a number of variations from the 2012 permission. In summary these involve alterations to the internal layout of the dwellings, changes in the design of the balcony and the removal of an original extension to the rear of the building.

## **SITE APPRAISAL**

The application site is a former public house, known as the Royal Oak, situated on Llanwonno Road, Mountain Ash. The property is a two-storey, ridge roof construction, which directly fronts the highway. Due to the topography of the site, whereby the land falls from west to east, away from the level of the highway, to the rear the property benefits from a basement level. Internally the ground floor of the premises consists of the former bar areas. At first floor level was a self contained flat, which formed the manager's accommodation. An existing vehicular access is positioned to the north side of the building; this serves a surfaced car parking area. The surrounding area is predominantly residential in character.

## **PLANNING HISTORY**

12/1260	Royal Oak Public House & Land at Llanwonno Road, Mountain Ash	Proposed conversion of public house to two dwellings	Granted with conditions 12/04/13
10/0384	Royal Oak Public House & Land at Llanwonno Road, Mountain Ash	Provision of new residential development (C3 use) with associated car parking, landscaping and new access	Refused 02/08/10
07/0996	Land at Llanwonno Road, Mountain Ash.	Proposed construction of 20 no. three bedroom semi-detached houses and 1 no. three bedroom detached house and	Withdrawn 28/09/09

associated car parking and access road  
(amended description 13/01/09).

## **PUBLICITY**

The application was advertised by direct neighbour notification and site notices. Three letters of representation have been received, these are summarised as follows:

- Concerns are expressed with regard to the access to the site for vehicular traffic. They comment that although the site lies in a 20mph zone, traffic travels along the road in excess of that speed.
- It is commented that there is a 'blind spot' at the access to the site.
- Questions are raised with regard to what the future intentions are for the land to the rear of this site (identified by a blue line boundary).
- They comment that the tarmac parking and turning area will add to the difficulties in water absorption and surface run-off. It is commented that this will affect a number of residents to the rear of the site.
- It is suggested that the construction itself will cause disturbance to residents and this needs to be controlled.
- It is commented that a footpath which crosses the site and leads to Bryn Ifor has been fenced off.
- One resident claims that land behind their property has been removed, making their property subject to erosion.
- One resident requests that a first floor side facing window be finished with obscure glazing to prevent overlooking to the front of their property.
- It is commented that there is an existing boundary wall between the application site and neighbouring dwelling (Hillcrest) but it is stressed that this is not a retaining wall and the applicant should not treat it as such.
- It is commented that the area beyond the car park is extremely steep and not suitable for parking.

## **CONSULTATION**

Transportation Section – no objections raised, condition suggested.

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

Wales & West Utilities – no objections raised, the applicant is advised to contact Wales & West Utilities directly to establish whether any apparatus are located in the vicinity of the site.

Public Health and Protection – no objections raised.

Land Reclamation and Engineering – no objections raised.

Countryside, Landscape & Ecology – no objections raised. Having assessed the condition of the building and given that the earlier permission has been partially implemented, the building is classed as being of very low potential to support a bat roost; as such a full formal bat survey is not considered necessary in this instance. However, an informative note, drawing the applicant's attention to the need to consider bats during construction is recommended.

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries.

**Policy AW1** – sets a target for the provision of new housing including amongst other things, through the conversion of suitable existing buildings.

**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 NSA12** - provides the criteria for development within settlement limits.

### National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 8 (Transport) and Chapter 9 (Housing) 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 current application represents a scheme for the refurbishment of the former Royal Oak public House, Llanwonno Road, Mountain Ash. The intention is to bring

the building back into use through its conversion and sub-division to create 2 residential units. As such, the key considerations in the determination of the application are whether the proposed use is compatible with the building's location, along with the potential impacts of the resulting development upon the character of the building and its setting, amenity of neighbouring occupiers and highway safety.

### Principle of development

The application site is located within settlement limits, with the building occupying a prominent position on one of the main roads into Mountain Ash. Planning policy AW1 sets out the requirements for new housing development and the methods by which the provision of new housing will be met, with section AW1.5 making direct reference to the maintenance, rehabilitation and improvement of existing housing and the conversion of suitable structures to provide housing. In this regard it is considered that the scheme is acceptable in principle, by bringing back into use a vacant building, which is located in a predominantly residential area, subject to adequate parking and amenity standards being achievable.

Regard must also be had to the planning history of the site. This reveals that planning permission was approved in 2013 for a very similar scheme. This too permitted the conversion of the building to create 2 independent units of accommodation. Whilst scheme has been partially implemented, it is noted that the current submission incorporates a number of minor changes to the design of the conversion and layout of the dwellings.

### Character and Appearance

As detailed above the proposed works to convert the property would be undertaken largely within the fabric of the existing building. Only minor adaptations to its form are proposed, by way of the creation of a balcony and the demolition of an existing extension to the rear elevation. Minor alterations to the external appearance of the property are proposed by way of adaptations to the pattern of fenestration, however these would be contained largely to the rear elevation. Internally it is proposed that the building be sub-divided along a vertical axis, thereby creating two independent three-storey dwellings (including accommodation at basement level), each with 3 no. bedrooms. Whilst minor internal and external adaptations are proposed, the general appearance of the building, as a two storey property, when viewed from Llanwonno Road, would remain largely unaltered. This would ensure that the development continues to be in keeping with the character and proportions of the neighbouring buildings and the wider street scene. Overall, it is not considered that the proposed conversion would adversely affect either the character or appearance of the existing property or wider street scene.

To conclude, it is considered that the proposed development would make a positive contribution to the character and appearance of the locality and is considered compliant with the requirements of Local Development Plan policies AW5 and AW6.

### Residential amenity

As noted above, the building is located within a predominantly residential area; in this respect consideration should be given to the potential impacts upon the privacy and amenity of existing neighbouring residents. Since the conversion would be undertaken largely within the fabric of the existing property, no extensions to provide additional accommodation are proposed. It is acknowledged however, that the scheme does involve the provision of a balcony to the rear of the proposed dwellings. It is acknowledged that the proposed balcony would occupy an elevated position, however, it is noted that a similar arrangement previously existed at the site. The original manager's flat, which previously occupied the upper floor of the building benefited from a balcony, which sat at a higher level (above the original rear extension).

The conversion scheme proposes the retention of a balcony feature, albeit in a slightly different configuration. The current scheme proposes the demolition of the original rear extension, so the elevated deck/balcony would span the full width of the rear elevation but would sit at a lower level, serving the ground floor, rather than first floor of the building.

It is acknowledged that the deck would provide views east across the site, however, it is noted that the closest neighbouring property to the east is located approximately 145 metres away and is screened by planting. It is noted that the building adjoins existing dwellings to the south (on Llanwonno Road) however it is considered that any potential impacts upon these neighbouring residential properties would be limited, by the fact that the former public house is set down from the level of the neighbouring dwellings. In addition to this, the scheme proposes the provision of a privacy screen to the southern end of the balcony/deck.

It is noted that the occupier of the property to the north (Hillcrest) has expressed some concerns with regard to the position of one window in the north (side) elevation of the property. They note that whilst there has always been a window in this position, it previously served a w.c. The conversion would see this area utilised as a study (at ground floor). Whilst it is acknowledged that the views would obviously be achieved from this window, it is considered that the outlook would be northward, along Llanwonno Road. Given the fact that the neighbouring dwelling (Hillcrest) is set back from the highway by approximately 6 metres and the window in question would be off-set from the northern site boundary by 12 metres, it is not considered that any direct overlooking to either the dwelling itself or private garden areas to the rear would result. Similarly, given the position and alignment of the proposed dwellings (and balcony) in relation to the neighbouring dwelling to the north, combined with the fact that the boundary between the two is largely screened by planting; it is not considered that the proposal would unduly compromise the amenities of the occupiers of this dwelling.

### Highway Safety

With regard to the potential impact upon highway safety, following consultation with the Council's Transportation Section, it is noted that no objections have been raised to the proposal. As set out above, the building and site benefits from an existing vehicular access, which served the car parking area of the former public house. It is proposed that this access be retained and utilised. Given the size of the area that forms the curtilage of the building, there is sufficient space to provide an appropriate level of off-street parking provision, that being 2 no. car parking spaces per unit in addition to a turning area, to enable access and egress in forward gear. As such, it is not considered that the conversion, which would result in a net increase of 1 additional unit of residential accommodation (as a manager's flat previously occupied the upper floor of the public house), would result in an adverse impact upon highway safety in the vicinity of the site. A condition is suggested however, which requires the formal submission of a layout plan that details the exact layout of the parking and turning area.

### **Other Issues:**

#### Public Right of Way

It is noted that following the advertisement of the application a neighbouring occupier has expressed concern that a footpath which connected with Bryn Ifor has been fenced off and access restricted. However, having checked the Council's formal records, it is clear that there are no registered Public Rights of Way crossing the site that would be affected by the development proposed.

#### Community Infrastructure Levy

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 application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

### Conclusion

Overall, the application is considered to comply with the relevant policies of the Local Development Plan in respect of the provision housing, moreover the proposed development represents an opportunity to bring back into beneficial use a prominent building on Llanwonno Road.

Having taken account of all of the issues outlined above, the application proposal is considered acceptable in terms of its impact upon the character and appearance of

the area, compatibility with existing uses and its potential impact upon highway safety. The proposal also represents an opportunity to bring back into use a vacant building which occupies a prominent position on Llanwonno Road, with the resulting scheme providing two units of accommodation. Therefore the application is considered to accord with the requirements of planning policy and is therefore, recommended for approval, subject to the conditions specified below.

**RECOMMENDATION: Grant**

1. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):

Drawing no.1 Existing lower ground floor plan Nov 2016  
Drawing no.2 Existing ground floor plan Nov 2016  
Drawing no.3 Existing first floor plan Nov 2016  
Drawing no.4 Existing elevations Nov 2016  
Drawing no.5 Proposed lower ground floor plan Nov 2016  
Drawing no.6 Proposed ground floor plan Nov 2016  
Drawing no.7 Proposed first floor plan Nov 2016  
Drawing no.8 Proposed elevations Nov 2016  
Drawing no.9 Construction detail Nov 2016  
and documents received by the Local Planning Authority on 03/05/17  
and 22/05/17 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.

2. The external materials of the proposed conversion shall match as near as possible the materials of the original building.

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.

3. Notwithstanding the submitted plans, prior to beneficial occupation of the dwellings, details of the off-street car parking layout for 4 vehicles with access / egress in forward gear onto Llanwonno Road shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the parking and turning area has been laid out in accordance with the approved details. Thereafter the area shall be retained as such in perpetuity and shall not be used for any purpose other than the parking and turning of vehicles.

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

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**APPLICATION NO:** 17/0585/10 (GW)  
**APPLICANT:** CTIL & TELEFONICA UK LTD  
**DEVELOPMENT:** Installation of a telecommunications base station and mast including 2 No 300mm dishes together with associated equipment cabinets and ancillary development thereto (Amended Plans received 2nd August 2017).  
**LOCATION:** LAND AT NANT Y DWRGI, LLANHARAN, CF72 9GR  
**DATE REGISTERED:** 30/05/2017  
**ELECTORAL DIVISION:** Llanharan

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**RECOMMENDATION:** Grant

**REASONS:**

The mast would provide beneficial 4G and improved 2G/3G mobile phone reception in an area that does not have adequate coverage. Some objections have been raised by local residents and as a result the applicant has reduced the height of the mast and improved the design. It is considered the visual impact and its potential impact upon the amenity and health and safety of the nearest residents would be acceptable. Furthermore there would be no impact upon highway safety in the vicinity of the site.

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**REASON APPLICATION REPORTED TO COMMITTEE**

- Three or more letters of objection have been received.

**APPLICATION DETAILS**

Full planning permission is sought for the installation of a telecommunications base station at land at Nant y Dwr in Llanharan. The proposed base station would be sited on land to the west of the housing estate and within an area of woodland and rough grassland next to a footpath (Public Right of Way) and adjacent to the nearby railway line.

Originally the application was for a 22.5m monopole with open masts, however following initial objections from the public consultation exercise the applicant has subsequently amended the mast by reducing it in height and utilising a shroud design (internal antennae).

The compound would measure approximately 5m by 5m comprising 1 no. 20m high monopole mast incorporating 3 no. antenna and 2 no. dishes; 3 no. associated equipment cabinets. The base station would be enclosed with 2.1m high green welded mesh type fencing.

Access to the site is gained from an unnamed access road that runs to the south of the railway station from Bridgend Road.

The applicant has detailed that the equipment is necessary in order for Vodafone and Telefonica to provide new 4G coverage and improved 2G/3G coverage to their customers within the Llanharan area.

It is also detailed that 7 alternative sites were investigated prior to submitting the application however the application site was considered the best option in respect of impact upon residents and signal coverage.

It is also noted that an ICNIRP (International Commission on Non-Ionizing Radiation Protection) declaration has been submitted with the application stating the proposed installation would be in full compliance with the requirements of the radio frequency public exposure guidelines of the ICNIRP, as expressed in EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields.

## **SITE APPRAISAL**

The application site forms a small parcel of land within a woodland/grassland area to the west of Nant y Dwrgi residential estate. A footpath (Public Right of Way) passes close by, linking the south of Llanharan with the railway station. The railway line is in close proximity to the north of the site. Llanharan Rugby Club is located to the south east. Further residential areas are located to the north of the railway line and to the south of the open area and rugby club.

## **PLANNING HISTORY**

None relevant to application.

## **PUBLICITY**

Originally the application has been advertised by means of direct neighbour notification and site notices (based on the original plans – now superseded).

Three letters of objection were received from local residents, making the following comments (summarised):

- It will be unsightly and tall;
- It will harm house prices;
- It will have potential health impacts, particularly on small children; and
- Is there an alternative away from residential properties?

Following re-advertisement of the application no objections have been received at the time of writing this report. If any further correspondence is received this will orally be reported to Members at Committee. The time period to submit further comments ends on the 29<sup>th</sup> August 2017.

## **CONSULTATION**

Countryside, Landscape and Ecology – no objection. The Public Right of Way would not be affected. It is on the edge of SINC 174. This edge of SINC has unfortunately been disturbed in the past (previous sewer mains/and other works). It still supports wet grass with meadowsweet, pendulous sedge meadow buttercup, but it is grassy, and silverweed and docks are evidence of previous disturbance. The development would have little impact on the SINC. However a condition requiring a working method statement is needed to reduce the impact of construction on the SINC and trees and reduce the spread of Japanese Knotweed.

Public Health and Protection – no objection, subject to conditions with regards hours of operation during construction, noise, dust, waste and temporary lighting.

Transportation Section – no objection.

## **POLICY CONTEXT**

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

The application site lies outside of the settlement boundary, is in an area of Coal Resources (Policy AW 14.4) and a Site of Important Nature Conservation (SINC) (Policy AW 8).

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

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

### **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 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 11 (Tourism, Sport and Recreation), 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 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 16: Sport, Recreation and Open Space;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 19: Telecommunications;

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**

This application seeks full planning permission for the installation of a telecommunications base station. Whilst it is acknowledged the application site is located outside of settlement limits, it is located close to the settlement boundary, and with suitable access, and is therefore considered an appropriate location for this type of development.

Additionally, whilst it is acknowledged the application site forms a section of an area of coal resources it is not considered this small area of development would have a significant impact on these resources.

Further, the amount and scale of the apparatus is confined to what is operationally required to implement the latest 4G telecommunications network in the area in line with planning policy which encourages the sharing of sites to accommodate improved telecommunications technology.

Therefore the proposed development, in principle, is considered acceptable subject to an assessment of the criteria identified below.

### **Visual Impact**

As stated above, originally a 22.5m monopole was proposed and three objections were received with regard the mast being unsightly and tall. As a result the applicant has reduced the height to 20m and changed the design to internal antennae.

At the time of writing this report no objections have been received with regard to the amended plans. However taking into account the previous objections and given the nature of the proposed development, a 20m high monopole mast and associated equipment, the resulting structures will inevitably form visible and prominent features in the immediate locality.

However, the base station would be sited adjacent to a band of mature trees which will help to reduce its impact. Further, the proposed amendment to the original proposed mast, results in a structure that would be lower in height and would be a less obtrusive design.

The monopole mast would comprise a singular structure which is uniform in design and will be of a green colour so as to blend to some extent in with the adjacent trees. It is also noted, the associated equipment will be painted green and the original palisade fencing proposed has been replaced with a form of welded mesh type fencing that would also be green in colour to ensure the proposal is in keeping with the surrounding features and will not appear overly industrial in character.

It is also proposed to provide additional tree planting to the north and east of the mast. In time this should provide greater screening of the mast, particularly from properties on Nant y Drwgi.

As such the proposal, whilst it will be visible from Nant y Drwgi and some surrounding areas, on balance, taking into account the measures taken to reduce the visual impact and the operational need for such development, it is considered in these terms the proposed mast would be acceptable.

### **Impact on residential amenity/public health**

The application site is located approximately 80m from the nearest residential properties, surrounded by trees and soft landscaping and, due to the topography of the land, would be situated at a slightly lower level to surrounding dwellings. Consequently, it is considered that the proposal would not impact upon the amenity currently enjoyed by local residents. Furthermore, the objection that it would affect house prices is not a planning consideration that would be material to the determination of the planning application.

It is acknowledged the objectors have commented that the proposed apparatus may impact upon the health and safety of residents. However, as with all telecommunications applications, the applicant has certified that the proposed apparatus comply with the relevant requirements of the ICNIRP published guidelines as expressed in the EU Council Recommendation of 1999 which cover the exposure of the general public to electromagnetic fields. It is also noted that following consultation, the Councils Public Health and Protection Section have no objection to the application. Therefore, whilst the comments raised by the objectors are noted, it is considered the proposed apparatus would not have an undue impact upon the health and safety of sports pitch users.

In light of the above, the application is considered acceptable in this regard.

### **Highway safety**

No objections have been received from the Councils Transportation Section following consultation.

### **Ecology**

The site is part of a Site of Important Nature Conservation. Whilst this is acknowledged the development would only affect a small part of the area and as detailed above the ground has previously been disturbed in the immediate area of the proposed mass. No objection has been raised by the Countryside Section subject to a condition requiring a working method statement is needed to reduce the impact of construction on the SINC and trees and reduce the spread of Japanese Knotweed.

### **Public Right of Way (PROW)**

The site is adjacent a footpath that is a PROW. Whilst part of the path will be used for access (when required) its line would not be affected. No objection has been raised by the Countryside Section subject to the developer carrying out any necessary diversions or closures during construction. As this is covered by other

legislation it is considered that a suitable informative identifying this issue to the developer would be prudent.

## **Other Issues**

### **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 noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, dust, waste and external lighting 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 in this instance.

### **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**

As such, the proposed development is considered to be acceptable and compliant with policies of the Local Development Plan. (Policies AW2, AW5, AW6, AW8 and AW10).

## **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)
  - Drawing Number 100 Rev B Site Location submitted 2<sup>nd</sup> August 2017
  - Drawing Number 101 Rev B Access Map submitted 2<sup>nd</sup> August 2017

- Drawing Number 102 Rev B Lease Drawing submitted 2<sup>nd</sup> August 2017
- Drawing Number 200 Rev C Proposed Site Plan submitted 2<sup>nd</sup> August 2017
- Drawing Number 300 Rev C Proposed Site Elevation submitted 2<sup>nd</sup> August 2017

and documents received by the Local Planning Authority on 30<sup>th</sup> May 2017 and 6<sup>th</sup> June 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 development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
- d. Persons responsible for:
  - i) Compliance with legal consents relating to nature conservation;
  - ii) Compliance with planning conditions relating to nature conservation;
  - iii) Installation of physical protection measures during construction;
  - iv) Implementation of sensitive working practices during construction;
  - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
  - vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved 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.

4. Prior to the first beneficial use the mast, cabinets and compound fencing, hereby approved, shall be finished in a colour to be first agreed in writing by the Local Planning Authority. Thereafter they shall be maintained as such in perpetuity.

Reason: In the interests of visual amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. All planting, seeding or turfing detailed on drawing number 200 Rev C Proposed Site Plan submitted 2nd August 2017 shall be carried out in the first planting and seeding season following the occupation of the building 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.

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**APPLICATION NO:** 17/0706/10 (KL)  
**APPLICANT:** Mr Royce Walby  
**DEVELOPMENT:** Alterations to form a new french window to provide access from the restaurant area onto a new external timber deck providing external dining.  
**LOCATION:** TREBANOG ARMS PUBLIC HOUSE, TREBANOG ROAD, TREBANOG, PORTH, CF39 9DU  
**DATE REGISTERED:** 19/07/2017  
**ELECTORAL DIVISION:** Cymmer

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**RECOMMENDATION:** Approve

**REASONS:**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact, its potential impact upon the amenity and privacy of surrounding neighbouring properties, and its potential impact upon highway safety in the vicinity of the site.

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## **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 the construction of a raised deck to the west facing side elevation of the Trebanog Arms Public House. The deck, which would be elevated 1.3 metres above ground level, would measure 5.5 metres in width by a maximum of 6.3 metres in depth and would be enclosed by a timber balustrade which would measure 1.2 metres in height above the decked level.

The deck would be accessed via a new set of french doors which would replace an existing window within the west facing side elevation of the existing building. A set of timber steps would also be erected to the northern side of the deck to provide access from the existing car park. The steps would measure 1.6 metres in width by 3 metres in length and would also be enclosed by the proposed timber balustrade.

The deck would be used as an external seating area in association with the existing restaurant.

## **SITE APPRAISAL**

The application site relates to the Trebanog Arms Public House which is located at the junction between Trebanog Road (A4233) and Edmondstown Road. The property faces a southerly direct with a number of off-street car parking spaces being provided to the north facing rear and west facing side elevations. Vehicular access is provided off Trebanog Road to the east with an unmade vehicular track running along the south facing front elevation.

The surrounding area is predominantly residential in character with residential properties being located approximately 15 metres to the north and approximately 11 metres to the east. A small number of commercial and residential properties are located approximately 13 metres to the south of the site. A licensed betting shop ('Ladbrokes') also forms part of the application property to the west with open countryside beyond the western boundary of the car park.

## **PLANNING HISTORY**

06/0218	Adjacent to Trebanog Arms, Installation of air conditioning Trebanog Road, Porth	Granted condenser to external wall	12/04/06
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## **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 (at Edmondstown Road and Trebanog Road). No letters of objection or representation have been received.

## **CONSULTATION**

Land Reclamation and Engineering – no objection or conditions suggested.

Public Health and Protection – no objection subject to conditions.

Transportation – no objection or condition suggested.

## **POLICY CONTEXT**

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

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

**Policy AW2** - supports development 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 AW10** - development proposals must overcome any harm to public health, the environment or local amenity.

### **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) and Chapter 4 (Planning for Sustainability) 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 12: Design;  
PPW Technical Advice Note 18: Transport.

## **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 proposal relates to the construction of a raised deck to the side of an existing Public House and the principle of the proposed development is therefore considered to be acceptable subject to an assessment of the criteria set out below.

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

The proposed deck would be constructed to the western side of the building and would be largely screened from public view points along Trebanog Road and Edmondstown Road. Whilst it is noted that it would be visible from the rear of properties in Edmondstown Road, the deck would be of a modest scale and design and would not extend beyond the rear or side elevations of the existing building.

As such, it is not considered that the proposed deck would have an adverse impact on the visual amenity of the area and the proposal would therefore comply with Policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

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

It is not considered that the proposed decking would have an adverse impact on the residential amenity and privacy of the nearest neighbouring residential property to the north (no. 33 Edmondstown Road). The decking would be of a limited scale and design and would not extend beyond the rear elevation of the existing building. It is therefore not considered that it would result in any overbearing or overshadowing impact.

It is, however, noted that the proposed decking, given its elevated position above ground level, could result in some overlooking towards the rear gardens of properties in Edmondstown Road. Whilst this is of some concern, the decking would not project beyond the rear elevation of the existing building which already incorporates a number of windows with views towards the rear gardens. Furthermore, the application site is already in an elevated position above those properties with views readily available from the car park area. As such, it is not considered that the development would result in a level of overlooking which would be significantly greater than that which currently exists.

Whilst there is potential for the use of the decking to result in some additional noise and disturbance, the Council's Public health Officer has not raised any objections in this regard. In any case, these matters could be controlled and dealt with under separate Public Health legislation and it therefore not considered that the proposal would have such an adverse impact on the residential amenity of neighbouring residential properties that it would warrant the refusal of the application.

Consequently, the proposed development is considered to be acceptable in terms of the impact it would have on the residential amenity and privacy of surrounding residential properties and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

### **Impact on Highway Safety**

Consultation has been undertaken with the Council's Transportation Section with a view to assessing the impact of the proposal on highway safety in the vicinity of the site. Whilst the response received raises some concern that 2 off-street car parking spaces would be lost as a result of the proposal, no objection has been raised. This is primarily due to the substantial size of the car park and the fact that the site is located within the heart of the community where a number of trips would be on foot. It is also located in close proximity to public transport and, on balance, the proposal is considered to be acceptable in this regard.

### **Public Health**

As mentioned above, the Council's Public Health & Protection Section have not raised any objections to the proposal, however, a number of conditions have been suggested in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that the issues mentioned can be more efficiently controlled by other legislation and the conditions suggested are therefore not necessary. An appropriate informative note to highlight these issues to the applicant would be sufficient in this instance.

### **Other Issues**

Consultation has been undertaken with the Council's Flood Risk Management Section with a view to assessing any potential impacts upon land drainage and ecology respectively. The response received raises no objection to the proposal.

### **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

It is not considered that the development would have a significant impact upon the character and appearance of the locality or upon the amenity of surrounding properties. Furthermore, there would be no undue impact upon highway safety in the vicinity of the site. As such, the application is considered to comply with the relevant policies of the Local Development Plan and is recommended for approval.

## 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 17<sup>th</sup> July 2017, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.:

Drawing no. 617.PL-03: Proposed Site Layout (rev A);  
 Drawing no. 617.PL-04: Plan Layout (Rev A);  
 Drawing no. 617.PL-06: Proposed West Elevation (Rev A);  
 Drawing no. 617.PL-08: Proposed North Elevation (Rev A);

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

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<b>APPLICATION NO:</b>	<b>17/0733/10</b>	<b>(GH)</b>
<b>APPLICANT:</b>	<b>Mr Dale</b>	
<b>DEVELOPMENT:</b>	Change of use from MOT centre and car sales to MOT centre and car hire.	
<b>LOCATION:</b>	<b>J W CARS, CARDIFF ROAD, RHYDYFELIN, PONTYPRIDD, CF37 5AA</b>	
<b>DATE REGISTERED:</b>	<b>17/07/2017</b>	
<b>ELECTORAL DIVISION:</b>	<b>Hawthorn</b>	

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**RECOMMENDATION: Approve****REASONS:**

The principle of the change of use is considered to be acceptable as it would return a redundant building to beneficial occupation. In addition, the absence of any structural changes to the property means that the proposal would have no impact upon the character and appearance of the locality.

Furthermore given the history of the site as a car sales operation and MOT station, the development would not be considered to represent an intensification of use likely to cause detriment to the amenity and privacy of the neighbouring properties, or upon highway safety in the vicinity of the site.

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**REASON APPLICATION REPORTED TO COMMITTEE**

A request has been received from Councillor Martin Fidler Jones, ward member for Hawthorn, for the matter to come to Committee on the basis that the development could generate highway safety issues.

**APPLICATION DETAILS**

Full planning consent is sought to change the use of the JW Cars premises at Cardiff Road Rhydyfelin, from an MOT centre and car sales, to MOT centre and car hire.

Currently the interior space of the unit is physically divided into the MOT/repair workshop and the former car sales area, with offices and reception located in between the two. The proposed development would result in no internal changes and the sales area, which occupies almost twice the floor space of the workshop, would be put to use for the vehicle hire side of the business.

Similarly, no external changes are proposed to the site, although the plans of the front elevation demonstrate that new signage would be commissioned in the event of the application being approved. In addition, by way of a response to a request from Highways Development Control, the applicant's agent has supplied a plan of the site demonstrating a proposed parking layout and given details of expected vehicle numbers.

Lastly, the agent has confirmed that should the change of use be approved Enterprise Car Hire, which has a branch at premises nearby, intends to operate from the site. A further planning application, for any alterations, signage and a definitive car parking layout, would then be submitted.

**SITE APPRAISAL**

The application property consists of a large purpose-built industrial unit and forecourt, occupying a 0.22ha site both towards the centre of the Hawthorn area and to the south of the A470. The site is currently vacant and had previously hosted a long-established car sales business and MOT workshop.

To the front of the site there are three vehicular entrances from Cardiff Road leading to a forecourt of substantial size, which previously accommodated vehicles for sale, those awaiting MOT and customer parking. The main building, which is mostly single storey with a small first floor mezzanine office area, is positioned in the north-western corner.

The boundary with Cardiff Road to the south is formed by a combination of low wall and metal palisade fencing, whilst that to the east, north and west, and which borders residential properties and a footpath, is a combination of timber fence and hedging.

Most of the neighbouring properties adjacent to the site are residential, although there is a public house and hairdressing business facing the site, and a cluster of retail premises just to the east on Ynyscorrwg Road.

## **PLANNING HISTORY**

There are no recent applications on record associated with this site

## **PUBLICITY**

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

Three letters of objection have been received raising concerns that the site is located close to a busy junction, bus stop and pedestrian crossing, and that change of use would worsen congestion and visibility, and add to on-street parking.

Conversely, two letters of support have been received stating that the garage has been in operation for years, has plenty of space on site and would provide employment. Another resident has clarified that if the car hire activity were to take place solely within the site, this would represent an improvement over the traffic problems caused by Enterprise's current site.

A detailed response has also been received from Cllr Fidler Jones, who has noted that the application would improve the congestion and highway issues caused by vehicle overspills and deliveries at their existing premises. However, concern is raised that these problems could be moved to the centre of Hawthorn, if the site is not controlled, and that a unit within Treforest Industrial Estate may have been a more appropriate option.

Nonetheless, it is acknowledged that residents would not wish to see the site left empty and its appearance decline. Therefore if the application is approved, conditions in respect of delivery times and staff, customer and rental car parking should be applied.

The comments of Cllr Fidler Jones and residents are considered within the body of the report further below.

## **CONSULTATION**

Land Drainage - the applicant has not proposed to increase the hard standing area within the development site and there is no objection

Public Health and Protection - no objection, but recommends conditions in respect of noise, dust, waste and hours of operation. However, since the application involves no construction work, these conditions would not be necessary

Dwr Cymru/Welsh Water - requests a condition in respect of surface water and an informative note are appended to any consent

Highways - initially raised an objection on the basis that there was insufficient detail on the submitted drawings to assess whether the off-street parking provision at the site was sufficient. The applicant's agent subsequently provided a plan showing 43 parking spaces with circulation space, and a statement of justification of the arrangement.

On this basis the highway objection was removed with no conditions recommended.

No other 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 Hawthorn

**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** - supports development proposals which are not detrimental to public health or the environment

**Supplementary Planning Guidance:** 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 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

## **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 proposed change of use would not result in any physical changes to the showroom and workshop, so the key issue is whether the operation of a car hire business would conflict with surrounding land uses.

Currently the site has an established mixed use, where the car sales would be classed as sui generis and the MOT/repair workshop as Class B2. This mixed use would continue since Car and Van Hire garages are also classed as sui generis.

The change of use of part of the site would not be objectionable in policy terms and the premises do not fall within a designated retail zone, where LDP Policies AW11 and SSA17 might otherwise be a consideration and warrant some evidence of marketing.

The application property would, also remain in a use associated with the motor trade. As noted above the development would not involve significant external changes or result in on-site activities very different from how the site previously operated. Thus

the proposal would be unlikely to generate a conflict with the public health considerations Policy AW10.

Therefore the application is considered to be acceptable in principle, subject to the further material considerations below.

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

Other than an indication of a minimal change in signage to the front of the main showroom and MOT workshop, no external changes or additional structures are proposed within the site.

Consequently and other than bringing the site back into beneficial use, the application would have no impact on the street scene; thus there are no objections in terms of visual amenity.

### **Impact on neighbouring occupiers**

During the consultation period clarity was sought from one resident in terms of the status and overgrown nature of an unadopted lane between the site boundary and no's 1, 3 and 5 Ynyscorrwg Road; although this does not form part of the site or affect the proposal, and is therefore not germane to its determination.

In addition, the case officer arranged to visit other neighbours backing on to the site, in order for them to view the plans and raise any concerns. During discussion it was evident in previous years, when the site had been at its peak of activity, that problems with noise and light pollution had been referred to Public Health officers, although these had been resolved to some degree.

In considering whether the change of use would be compatible with the neighbouring residential properties, there is no reason to consider that the part of the site to be given over to car hire would be any more disruptive to residents than the sale of vehicles. Specifically, the kind of activities taking place on the site, including the parking, maintenance and valeting of vehicles, would be the same.

However, the applicant's agent has also pointed out that in the case of car hire, he would expect traffic levels to be lower than for car sales as most of the hires would be pre-booked. Similarly, a car hire outlet would be less likely to encourage customer browsing and visits to the site would be shorter.

Setting aside the objections received in respect of highway matters, which are considered below, it is considered that the principle of the change of use would be acceptable in terms of the impact on neighbouring occupiers.

### **Highway Safety and Accessibility**

### Site Access:

Highways Development Control has noted that Cardiff Road, where the site is located, has a carriageway width of 8m, with a 2.8m wide footway on its development side and a 1.8m wide footway on the opposite side. Other than the presence of bus stop clearways directly outside the site and zig-zag markings to the immediate southeast of the site, there are no parking restrictions in the immediate vicinity.

Access to the site is currently served via three 4.5m wide gateways from Cardiff Road, each of which has an adequate vehicular crossover. There are no changes to vehicular or pedestrian access as a result of the proposed development, and these are considered acceptable for the proposed use.

### Off-street Parking:

Regarding on-site parking, the Council's adopted SPG for Access, Circulation and Parking Requirements, specifies that the MOT test centre would generate an operational requirement of one space per service bay plus one commercial vehicle space, and a non-operational requirement of two spaces per each service bay. The car hire element of the site would have an operational requirement of one space per vehicle operated and a non-operational requirement of one space per three auxiliary staff.

Given that no changes are proposed to the MOT centre part of the site, and with an existing provision in excess of its SPG requirement, off-street parking provision for this is considered acceptable.

For the purposes of vehicle hire parking the information submitted by the agent indicates that a maximum of thirty vehicles would be at the site, with a typical day having around ten to fifteen vehicles present. Considering that the submitted parking plan indicates thirty-nine spaces, even with thirty spaces allocated for the operational requirement of the car hire, there would be nine spaces available to cater for staff parking.

Therefore Highways Officers consider that the off-street parking provision would be in excess of that required by the SPG, and on this basis the proposed change of use is considered acceptable.

### Other Highway issues:

In relation to the concern raised by residents about vehicles being displaced to the public highway, the Highway Officer stated that consideration had been given to whether the development would require a Traffic Regulation Order (TRO), and that this was not necessary. The Officer had consulted the Council's Traffic Section

which was aware of a restriction of visibility caused by parking at the junction with Spencer Lane, although this site was already subject to double yellow lines.

Notwithstanding the consultation response from Highways, consideration has been given to whether any appropriate conditions could be recommended. The Welsh Government Circular 016/2014 sets out clear parameters in respect of the validity of conditions, and that these should not duplicate controls available under other legislation e.g. The Highways Act 1980.

Nonetheless, whilst a condition seeking to impose a control over a public highway on a matter outside of the applicant's control would not be acceptable, it is considered that a condition to prevent the parking of hire cars would be reasonable.

In this regard, reference was made to a relevant appeal judgement from 2007, for a vehicle hire business in Halesowen, West Midlands (APP/C4615/C/06/2028836). In this case the Inspector allowed the appeal but imposed a condition requiring hire vehicles not to be parked on the public highway, since this was a matter within the appellant's control.

Consequently it is felt that a similar parking condition would be both relevant and reasonable, as would a further condition regarding the timing of vehicle deliveries, in acknowledgement of the proximity of the school entrance; and these are suggested below.

### **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 the proposal would not have a significant impact on the character and appearance of the locality, upon the residential amenity of the surrounding neighbouring properties or cause detriment to highway safety. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5, AW6 and AW10).

### **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 drawing numbers 002 and 003, and documents received by the Local Planning Authority on 3rd July 2007 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 hire vehicles, or former hire vehicles awaiting collection for disposal, shall be permitted to be parked on the public highway outside the site on Cardiff Road, between its junction with School Lane and Ynyslyn Road and Fairfield Lane; on Fairfield Close; on Spencer Lane; on School Lane; on Ynyslyn Road between its junction with Cardiff Road and Hawthorn Road; or on Ynyscorrwg Road, between its junction with Ynyslyn Road and Hawthorn Crescent.

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

4. HGV's used for deliveries of vehicles to and from the site shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

5. 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 or detriment to the environment.

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<b>APPLICATION NO:</b>	<b>17/0745/10</b>	<b>(BJW)</b>
<b>APPLICANT:</b>	<b>CTIL &amp; TELEFONICA UK LTD</b>	
<b>DEVELOPMENT:</b>	Proposed installation of a telecommunications base station with 17.5m monopole mast, supporting 3No	

antennas, 2No 300mm dishes together with associated cabinets and ancillary development thereto.  
**LOCATION:** **LAND AT YNYSHIR ROAD, PORTH, CF37 0EP**  
**DATE REGISTERED:** **04/07/2017**  
**ELECTORAL DIVISION:** Ynyshir

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**RECOMMENDATION:** Approve.

**REASONS:**

The proposed mast and base apparatus would be of a modest scale and an acceptable design and the location would not have an adverse impact on the amenity of the closest neighbouring properties, the visual amenity of the area and highway safety considerations.

The mast would also improve the telecommunication provisions within an area of identified need to the benefit of the surrounding area in accordance with National Policy.

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**REASON APPLICATION REPORTED TO COMMITTEE**

This application is reported to Committee as it is a full application for a telecommunications mast and associated apparatus which is outside the scheme of delegation.

**APPLICATION DETAILS**

CTIL (Cornerstone Telecommunications Infrastructure Limited), a joint venture company owned by Vodafone Limited and Telefonica UK Limited have made an application for planning permission for a proposed mast and a two associated cabinets on land at Ynyshir Road, Ynyshir, Porth.

The supporting information states that the proposal would allow both organisations to improve the delivery of service to its customers, delivering 2G, 3G and 4G services to a much higher proportion of the population in the Ynyshir area.

The new site will allow a single network grid supporting modern MORAN technology for Telefonica UK Ltd. The Site will be operated by CTIL and Telefonica UK Ltd. But has been future proofed and could enable both Vodafone and Telefonica to provide MORAN services to the surrounding area if required.

The site has been chosen at this location, as it is a break from the residential nature of the area. The proposed site is located on highways land adjacent to a factory unit

where the telecommunications infrastructure will blend in with the street scene which has other linear items such as lighting columns and telegraph poles.

Specifically the physical works at the site works would involve:

- 17.5m high monopole with a main column width of 324mm; the two metre base section has a width of 350mm and contains telecommunications equipment ancillary to the antenna operation. This reduces the need for further external cabinets above the two already required. The top 2.1m of the pole consists of a shroud with a width of 540mm containing 3 antennas.
- 2 no. antennas attached to the monopole at a height of 12.5m with 300mm diameter dishes
- 2 No. ground based equipment cabinets (700mm x 700mm x 1800mm and 550mm x 500mm x 1150mm) coloured grey

The application is also accompanied by the following additional documents:

- Relevant plans and forms;
- General background information for telecommunications development;
- Health and mobile phones base stations document;
- EMF fact sheets;
- BBC 4G Article;
- ICNRP (International Commission on Non-Ionizing Radiation Protection) declaration and clarification statement; and
- Site specific supplementary information (including copies of pre-application discussions and coverage plots);
- Pre-application letters have been also been sent, by the applicant, to the following parties:

Chief Planning Officer Rhondda Cynon Taf County Borough Council  
Mr. Chris Bryant MP  
Mr. Andrew RT Davies AM  
Mr. David Melding AM  
Mr. Gareth Bennett AM  
Ms. Leanne Wood AM  
Mr. Neil McAvoy AM  
Cllr. Darren Macey

## **SITE APPRAISAL**

The site is an area of flat area of highway verge located to the west of existing factory buildings on Ynyshir Road between the villages of Ynyshir and Wattstown.

The site is urban in nature and appearance and forms part of the verge at the entry to an existing industrial property. The site is accessed off the main Ynyshir Road that runs north-south through the village.

## **PLANNING HISTORY**

None relevant.

## **PUBLICITY**

This has included site notices and the direct notification of properties surrounding the site. No responses have been received.

## **CONSULTATION**

Transportation Section – initially raised an objection, however following the submission of an amended layout plan clarifying the impact of the installations of the existing vision splay, now raises no highway objection.

Land Reclamation and Engineering – no objection, subject to a standard drainage condition.

Public Health and Protection Division – no response received at the time of writing the report. Any response that is received will be reported orally to Members at the meeting.

Countryside, Landscape and Ecology – no response received at the time of writing the report. Any response that is received will be reported orally to Members at the meeting.

## **POLICY CONTEXT**

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

The proposed development is outside the defined settlement boundary of Ynyshir and is unallocated.

**Policy CS1** - sets out criteria for achieving strong, sustainable communities.

**Policy AW5** - lists amenity and accessibility criteria that will be supported in new development proposals, including; the scale and form of the development would have no unacceptable effect on the character and appearance of the site and surrounding area, there should be no significant impact on the amenities of neighbouring occupiers and the development should be compatible with other uses in the locality.

**Policy AW6** - lists design and place making criteria that will be supported in new development proposals.

## **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.

Planning Policy Wales Chapter 2 (Local Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development), 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 12: Design;  
PPW Technical Advice Note 18: Transport;  
PPW Technical Advice Note 19: Telecommunications;  
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.

### **Principle of the proposed development**

This application seeks full planning permission for the installation of a telecommunications monopole mast and associated ground based equipment cabinets at Ynyshir Road, Ynyshir.

The application site is located within an industrial area approximately 35m from the closest residential properties. Ynyshir Road is the main route for traffic through the village and this part of is characterised by large industrial buildings.

While the site is a prominent roadside location it is considered that the proposed monopole would blend within the backdrop of existing industrial buildings and linear infrastructure within the area. Therefore, the application site is considered an appropriate location for this type of development.

The infrastructure would improve 2G, 3G and 4G coverage in an area where a lack of such facilities has been identified. This would comply with Welsh Government

objectives to roll out improved telecommunications facilities within Wales and established National Guidance.

Consequently, such a proposal is considered to be acceptable in principle.

### **Impact on neighbouring properties/public health**

The mast would be located approximately 35m from the closest residential property. The area where the proposed mast would be sited is characterised by industrial units and existing, linear roadside infrastructure.

It is considered that due to the distance between the proposed installation and the closest residences and the scale, appearance and nature of the proposal that there would not be any detrimental impact on the amenity of neighbouring properties.

It is also acknowledged that there have been no objections to the application from neighbouring properties as part of the consultation exercise for the proposal.

In terms of public health concerns the application is accompanied by an International Commission on Non-Ionizing Radiation Protection (ICNIRP) Certificate which verifies that the proposed apparatus is safe in respect emissions and human health. Welsh Government guidance in this regard is that if the development meets the ICNRP guidelines as expressed by the EU Council Recommendation of 12 July 1999 on the limitation of the general public to electromagnetic fields (as recommended by the report to the Independent Group on Mobile Phones (The Stewart Report) on a precautionary basis), it should not be necessary for a local planning authority on processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

### **Visual amenity**

With regard to the effect on the visual amenity of the area, the proposed apparatus and new cabinets are considered to be of a minor nature, acceptable and in respect of both their scale and design are not considered to have an adverse impact on the character and appearance of the area.

As indicated above, due to the location of the proposed mast, within a roadside location against a backdrop of industrial buildings and linear infrastructure, it is considered that the use of a monopole would have less visual impact. It is considered that the structure would be viewed against the existing backdrop and would be less visually obtrusive and therefore acceptable character and appearance of the area.

### **Highway safety**

The Transportation Section initially raised an objection to the application as it was considered that there was insufficient information to establish the effect of the installation on the vision splay at the entry/exit to the existing unit. However, additional information has been provided, including the impact on the vision splay, which is indicated as being unaffected.

Consequently, it is considered that the proposal is acceptable in this respect.

## **Conclusion**

Whilst it is acknowledged the new equipment would be visible within the immediate locality, the general design and appearance of the additions are considered acceptable and typical of the design of many modern telecommunications masts that are commonly found throughout the Borough.

It is also noted that the development would comply with the relevant requirements of the ICNIRP published guidelines as expressed in the EU Council recommendation of 1999 which cover the exposure of the general public to electromagnetic fields. As such it is not considered there would be any undue impact upon the amenity or health and safety of local residents or users of the adjacent allotments/play area.

The infrastructure would also improve telecommunication provisions within an area of identified need to the benefit of the surrounding area.

In light of the above, the application is considered to comply with the relevant policies of the Local Development Plan and is acceptable, subject to the conditions detailed 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):

Site Location Plan, Drawing No. 100 Revision A  
Proposed Site plan, Drawing No. 200 Revision A  
Proposed Site Elevation, Drawing No. 301 Revision A  
Proposed Visibility Splays, Drawing No. 201 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 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 hereby approved shall not be brought in to 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.

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**APPLICATION NO:** 17/0772/10 (LJH)  
**APPLICANT:** Mr Rees  
**DEVELOPMENT:** It is proposed to take down an existing flight of steps and platform leading to the lower garden and construct a new decking area with a new set of steps.  
**LOCATION:** 180 TYNTYLA ROAD, LLWYN-Y-PIA, TONYPANDY, CF40 2SP  
**DATE REGISTERED:** 01/08/2017  
**ELECTORAL DIVISION:** Ystrad

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**RECOMMENDATION:** Approve

**REASONS:**

The structure is not considered to be sufficiently harmful to warrant refusal in respect of its visual impact and the impact it has upon the amenity and privacy of the neighbouring residential properties.

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**REASON APPLICATION REPORTED TO COMMITTEE**

The application is requested to be presented to Committee by Councillor Lorraine Jones to consider the residential amenity impacts of the development.

## **APPLICATION DETAILS**

Full planning permission is sought for the retention of a raised decking and construction of steps to the rear of 180 Tyntyla Road, Llwyn-y-pia. The decking is sited to the left hand side on the south-western facing rear elevation of the property with steps down to the rear garden. The decking measures 3.8 metres in width by 3 metres in depth with a maximum height of 2.5 metres from ground level. It would have a balustrade around the perimeter measuring a further 1 metre in height. The stairs are sited across the rear elevation of the dwelling towards the right hand side and measure a maximum of 1 metre in depth and 3 metres in length, the stairs lead down from the raised decking.

## **SITE APPRAISAL**

The application site is located within a residential area of Llwyn-y-pia and consists of a two-storey, end-of-terrace property which has been externally finished with render and concrete roof tiles. The property directly fronts the footway at Tyntyla Road (A4058) to the north-east with a small, enclosed garden extending approximately 5 metres to the south-western rear boundary. The site is bound by the bank of the Rhondda River along the south-western boundary with the neighbouring properties and their rear gardens to the north-west and south-east. Due to changes in ground levels in the vicinity, the rear gardens are at a much lower ground level (approximately 2.5 metres) than the rear elevations.

Neighbouring properties in the vicinity are of a similar scale and design to the application property with many having been extended to at the rear. The adjoining property to the north-west (no. 181) is of an equal ground level to the application site and incorporates a full-width single storey extension at the rear elevation. No. 178 to the south-east is also at a similar ground level and is sited away from the boundary of the application site by a side garden area.

## **PLANNING HISTORY**

There are no planning applications on record associated with the application site.

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification. One letter of objection has been received from a neighbouring property and is summarised below:

- I strongly object to the decking that has been constructed without planning permission.
- The height is over 3 metres which overlooks my garden and has taken away my privacy.
- The structure does not conform to Permitted Development Rights.
- I built a 2 metre fence to maintain my privacy and now it is lost.

One further letter from Councillor Jones has been received which raises the following concerns:

- The decking is invading the privacy of neighbouring residents.
- I feel there could be a compromise and the structure be lowered to enable the neighbour to retain his privacy.

## **CONSULTATION**

None undertaken.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Ystrad and is not allocated for any specific purpose.

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

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

### **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 4 (Planning for Sustainability), sets 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 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**

The application relates to the retention of a raised decking on an existing residential dwelling and the principle of development is therefore acceptable subject to the criteria set out below.

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

The raised decking is considered to be acceptable in terms of its scale, design and overall visual appearance. It would project a maximum of 3 metres off the rear elevation of the property and would have a maximum height of 3.5 metres from ground level including the balustrading. As such, it is considered that the proposal would form a sympathetic and subservient addition to the property. The decking would be finished with standard materials and it is not considered that it would be an overly prominent feature in the locality. In addition, the site is relatively screened from public viewpoints by mature trees and shrubbery.

Consequently, the proposed decking is considered to be acceptable in terms of the impact it would have on the character and appearance of the existing dwelling and it is therefore considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

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

The proposed decking is sited on the south-western facing rear elevation of the property and it is therefore acknowledged that there is some potential for overshadowing to occur on the rear garden of no. 181 to the north-west. However, this would largely be limited to the morning period only and it is not considered that the level of overshadowing would be so significantly harmful on the residential amenity that it would warrant the refusal of the application.

The decking would have a maximum projection of 3 metres from the rear elevation with a maximum height of 3.5 metres, a metre of which would be balustrading. It is therefore not considered that the proposal would have any overbearing impact on the occupants of that property or no. 178 to the south-east.

Two letters of objection have been received however, from a neighbouring property and the Local Councillor, relating mainly to overlooking and loss of privacy. It is acknowledged that the proposal would result in some overlooking into the rear gardens of neighbouring properties, however, given the nature of the neighbouring properties and the elevated position of the ground floor level, there will always be some degree of overlooking into one another's rear gardens. It is therefore not considered that the proposal would have a significantly increased overlooking impact over that which already occurs at the site.

It is noted that no other letters of objection have been received from the occupants of surrounding properties following the consultation process and the application is therefore considered to be acceptable in terms of the impacts it would have on the residential amenity and privacy of surrounding residents.

### **Community Infrastructure Levy Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31<sup>st</sup> 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 the proposal would have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5 and AW6).

### **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 nos. 01, 04, and documents received by the Local Planning Authority on 12/07/2017 and 01/08/2017, 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.

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**APPLICATION NO:** 17/0784/10 (KL)  
**APPLICANT:** CITL & Vodafone  
**DEVELOPMENT:** Proposed installation of a telecommunications base station with a 22.5M monopole, supporting 3 no antenna, 2 no 300mm dishes together with associated ground based cabinets and ancillary development thereto.  
**LOCATION:** LAND AT ABERGORKI INDUSTRIAL ESTATE, TREORCHY, CF42 6DL  
**DATE REGISTERED:** 14/07/2017  
**ELECTORAL DIVISION:** Treorchy

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**RECOMMENDATION:** Approve

**REASONS:** The proposal would provide new 4G coverage and improved 2G/3G services to local residents and businesses in and around the village of Treorchy. It would have a limited impact on the character and appearance of the surrounding area and the residential amenity of surrounding residents. Furthermore, there would be no impacts upon highway safety in the vicinity of the site.

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#### **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 the installation of a telecommunications base station at Abergorki Industrial Estate, Treorchy.

The proposed base station would be sited on a grass verge to the front of an existing industrial unit (Parc Business Treorc). It would measure 4 metres in width by 4 metres in depth and would comprise of 1 no. 22.5m monopole mast which would support 3 no. antenna and 2 no. 300mm dishes; 3 no. associated equipment cabinets; and a 2.9m high gantry support pole. The base station would be enclosed with 2.1m high palisade fencing.

Access would be gained off Abergorki Industrial Estate and then through the parking area associated with Parc Business Treorc.

The applicant has detailed that the equipment is necessary in order for Vodafone and Telefonica to improve 2G & 3G coverage, to provide new 4G coverage in the Treorchy area and to ensure that more 'not spot' areas benefit from high speed internet connections in line with the Welsh Government aspirations for improved service and infrastructure.

The application is accompanied by an ICNIRP (International Commission on Non-Ionising Radiation Protection) declaration stating that the proposed installation would be in full compliance with the requirements of the radio frequency public exposure guidelines of the ICNIRP, as expressed in EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields.

The application has been submitted following the withdrawal of a previous application (ref. No. 17/0005) for a similar development on land at Treorchy Telephone Exchange, Treasure Street, Treorchy. The application was withdrawn due to significant local objection and requests to pursue a suitable alternative location. The applicant has investigated 9 different site options prior to the submission of the application, however, the application site was considered to be the best option in terms of impact on surrounding residents and signal coverage.

## **SITE APPRAISAL**

The application site relates to a small parcel of land which currently forms part of a flat grass verge between the main estate road at Abergorki Industrial Estate and the car park associated with a large industrial unit known as Parc Business Treorc. The wider site is closed by palisade fencing measuring 2.4 metres in height.

The surrounding area is predominantly characterised by industrial units, although it is noted that Sheppard's Pharmacy, Forest View Medical Centre, Ysgol Gynradd Gymraeg Ynyswen, Cylch Meithrin Nantdyrys and Ynyswen Infants School are all located to the north-west of the site. The nearest residential properties are located approximately 200 metres away in Ynyswen Road.

## **PLANNING HISTORY**

No previous planning applications have been submitted at the application site within the last 10 years.

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification and through the erection of site notices in the surrounding area. No letters of objection or representation have been received.

## **CONSULTATION**

Countryside, Landscape and Ecology – no comments received

Land Reclamation and Engineering – no objection subject to condition.

Public Health and Protection – no objection subject to conditions.

Transportation – no objection or condition suggested.

## **POLICY CONTEXT**

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

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

**Policy CS1** - sets out criteria for development in the Northern 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 AW10** - development proposals must overcome any harm to public health, the environment or local amenity.

### **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 7 (Economic Development), Chapter 8 (Transport) and Chapter 12 (Infrastructure and Services) 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 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 19: Telecommunications;

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.

### **Main Issues:**

#### **Principle of the proposed development**

The application seeks full planning permission for the installation of a telecommunications base station at Abergorki Industrial Estate, Treorchy. The site is located within the defined settlement boundary and within an area which is predominantly characterised by industrial units. It is considered that the proposed equipment, through the use of a monopole rather than lattice design, is visually the most appropriate form of apparatus that could be installed in this location. Furthermore, the scale of the apparatus is confined to what is operationally required to implement the latest 4G telecommunications network in the area in line with planning policy.

As such, the principle of the proposed development is considered to be acceptable subject to an assessment of the criteria set out below.

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

With regard to the effect on the visual amenity of the area, the proposed apparatus and new cabinets would inevitably form a visible addition to Abergorki Industrial Estate. However, given that they are considered to be of an acceptable scale and design and that they would be viewed in context with large, industrial units, it is not considered that they would have an adverse impact on the character and appearance of the area.

Furthermore, the mast would be sited approximately 200 metres away from residential properties in Ynyswen Road to the north and would be largely screened from view by the large industrial unit which lies between the site and the closest properties. It would also be viewed against a backdrop of mature trees to the south. As such, the mast would not be readily visible from outside of the industrial estate and it is not considered that it would have any undue impact upon the visual amenity of the nearest neighbours.

Subsequently, whilst it is acknowledged that the new equipment would inevitably form a visible feature in the immediate locality, the general design and appearance of the additions are considered to be acceptable and typical of the design of many modern telecommunications masts that are commonly found throughout the Borough. Further, given that the mast could be painted to mitigate any potential visual impacts, it is not considered that the development would result in an overly obtrusive or overly prominent feature being introduced to the surrounding landscape. As such, the proposal is considered to be acceptable in respect of its potential visual impact.

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

As detailed above, the application site is located within an established industrial estate with the nearest residential properties being located approximately 200 metres to the north. Consequently, it is not considered that the proposal would impact upon the amenity or privacy standards currently enjoyed by local residents.

Whilst it is acknowledged that proposals for telecommunication masts are very often subject to health and safety concerns, the application is accompanied by a signed declaration which certifies that the proposed apparatus complies with the relevant requirements of the ICNIRP published guidelines as expressed in the EU Council Recommendation of 1999 which cover the exposure of the general public to electromagnetic fields. It is also noted that the Council's Public Health and Protection division have raised no objection to the proposal in this regard.

In light of the above, the application is considered to be acceptable in terms of the impact it would have on the residential amenity of surrounding properties.

### **Impact on Highway Safety**

The application has been subject to consultation with the Council's Transportation Section and no objection has been raised in this regard. The comments received note that the proposed base station would be situated on a grass verge within an enclosed section of land which is privately owned. As such, it is not considered that the proposal would have a detrimental impact on highway or pedestrian safety in the vicinity of the site.

### **Public Health**

The Council's Public Health & Protection Section have raised no objections to the proposal, however, a number of conditions have been suggested in relation to hours of operation, noise, waste and dust. 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 are not considered necessary. An appropriate informative note to draw these issues to the applicant's attention is considered to be sufficient in this instance.

## **Land Drainage**

Consultation has been undertaken with the Council's Flood Risk Management Section with a view to assessing any potential impacts upon land drainage. The response received raises no objection to the proposal subject to standard conditions and advice.

## **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**

Whilst it is acknowledged the new equipment would inevitably form a visible feature in the immediate locality, the general design and appearance of the additions are considered acceptable and typical of the design of many modern telecommunications masts that are commonly found throughout the Borough.

It is also noted that the development would comply with the relevant requirements of the ICNIRP published guidelines as expressed in the EU Council Recommendation of 1999 which cover the exposure of the general public to electromagnetic fields. As such it is not considered there would be any undue impact upon the amenity or health and safety of local residents.

As such, the application is considered to comply with the relevant policies of the Local Development Plan and is acceptable, subject to the conditions detailed 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 plans and documents received by the Local Planning Authority on 14/07/17, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 100A: Site Location Maps;
- Drawing No. 101A: Lease Plan;
- Drawing No. 200A: Proposed Site Layout Plan;
- Drawing No. 300A: Proposed Site Elevation.

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

3. No development shall commence until all matters outlined on the attached Planning Requirements Relating to Flood Risk Management including full drainage details have been submitted to and approved in writing by the Local Planning Authority. The details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

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

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**APPLICATION NO:** 17/0793/08 (DJB)  
**APPLICANT:** Rhondda Cynon Taff County Borough Council  
**DEVELOPMENT:** New build, mixed-use development providing predominately B1 space but with ancillary A3, D1 and D2 uses in the form of three new buildings above a common basement providing car parking and servicing areas.  
**LOCATION:** **SITE OF FORMER TAFF VALE SHOPPING CENTRE, TAFF STREET, PONTYPRIDD**  
**DATE REGISTERED:** 17/07/2017  
**ELECTORAL DIVISION:** Town (Pontypridd)

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**RECOMMENDATION:** Approve

**REASONS:**

The former Taff Vale Precinct site has now been cleared and the proposed scheme will realise significant future investment in Pontypridd Town Centre. It is considered that the delivery of the redevelopment scheme proposed will not only safeguard and maximise the opportunities from existing investment, but will also act as a catalyst for future economic opportunities presented by the site and the town centre to be realised.

The proposed scheme represents an exciting and modern development and the principle of redevelopment on the former Taff Vale centre site is long established, with the last outline planning permission having been granted as recently as November 2016. The application proposal is considered to comply with the relevant policies of the Council's LDP and national planning policy and guidance.

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**REASON APPLICATION REPORTED TO COMMITTEE**

The application is submitted on behalf of the Council and involves land owned by the Council, where the nature of the Council's interest is more than a minor nature

**APPLICATION DETAILS**

Background

At the outset it may be useful for Members to understand the background to the Council's interest in the site and the rationale behind the submission in terms of its form and mix of proposed uses.

A report (from the Director of Regeneration and Planning) was presented to a meeting of Cabinet on 19 July 2016. That report explained that the developer's of the 2009 planning permission (09/0651) went into receivership in 2012, following demolition of the former Taff Vale Centre and the central core office building. The development of the site was subsequently held up by complex tenure arrangements and notwithstanding the Council actively engaging with prospective purchasers all the prospective investors failed to make any meaningful progress.

It is recognised that the site currently presents a major regeneration opportunity but until recently, when the former basement car park was finally demolished and the site cleared, it acted as a disincentive to significant future investment in the town. Therefore, in March 2015 the Council, with the support of Welsh Government resources from the Vibrant and Viable Places Regeneration Framework, acquired the Receiver's long leasehold interest in the site, thereby removing a significant restriction to the future development of the site.

Given the size of the site and the potential scale and extent of any new development it has been reasonably assumed that any new development would present a mixed use development opportunity, with potential options being residential, commercial, retail and public sector use.

In January 2016 views on preferred future uses were sought from local residents and businesses via a questionnaire that was distributed throughout the town and on-line. 1,551 respondents completed the questionnaire and the main preferred uses for the site were retail and restaurants, with a selection of other uses in the middle range including public services, hotel, bars and gym, with housing and student accommodation being least supported in the consultation.

This site represents the single biggest development opportunity in Pontypridd. It needs to deliver footfall in the town to help sustain and improve the town's retail and commercial offer, whilst also contributing to the vibrancy on Pontypridd. A key message from the commercial property advisors to the Council was that a mainly retail led scheme would neither be likely to be deliverable nor viable in today's climate.

A range of purely commercial mixed use options were reviewed, but the key to certainty of delivering development of the site within a reasonable timeframe, is for any scheme to include public sector development, rather than a reliance on a changing commercial marketplace. Therefore, having considered the need to increase footfall in the town to support the existing local economy as well as acting as a catalyst for future investment, the development option that is proposed contains major office accommodation development for private and public sector occupancy together with Class A3 (food and drink) uses.

In July 2016 the Council submitted an outline planning application (16/0848), with all matters reserved for future consideration. That recent previous application sought

the determination of the Council, as Local Planning Authority, as to the acceptability of the principle of the proposed development (in terms of quantum of floorspace and uses) on the site and was approved on 4 November 2016.

### The current application

This current application seeks full planning permission and is not a submission of reserved matters, pursuant to the earlier outline consent (16/0848). Whilst the proposed development is still of the same 3 building form across the site which was presented in the supporting illustrative material at the outline stage the scheme has since evolved with the result that the floor area to be created exceeds the upper limit of 12,675sq.m. set down in the outline consent. Consequently, as the floorspace exceeds this limit, together with the fact that there is a change (albeit relatively minor) in the application site red line boundary the application cannot be made as a reserved matters submission.

The application seeks permission for the re-development of the former Taff Vale Shopping Centre to provide 14,693sq.m. of new floorspace, which comprises of:

- 8,488sq.m. of Class B1(a) Office space
- 1,064sq.m. of Class D1 (Non –residential Institution) space
- 1,038sq.m. of Class D2 (Assembly and Leisure) space
- 568sq.m. of Class A3 (Food and Drink) space
- 3,535sq.m. of other (basement/circulation/plant/servicing etc)

The B1/D1/D2/A3 classifications referred to above are defined under the Town and Country Planning (Use Classes) Order 1987. In this case the:

- Class B1(a) floorspace will be offices;
- Class D1 floorspace will be a mix of a new/relocated Pontypridd Library together with a Council customer contact/access point;
- Class D2 floorspace will be new leisure/fitness and gym facilities;
- Class A3 floorspace could be restaurants, snack bars, cafes, bars and take-aways – although no specific tenant/s have been confirmed at this stage).

The submitted plans indicate a scheme of three separate distinct buildings (A, B and C) over a 'new' basement level parking and servicing/circulation area (the car park/basement area beneath what was the former Taff Vale Shopping Centre was demolished and the site cleared earlier this year). It is considered that such an arrangement best maximises the net space that can be provided, whilst at the same time being mindful of the constraints.

Buildings are orientated so that their widest elevations (in the cases of A and B) run across the site, east-west i.e. from Taff Street across to the River Taff. The narrower 'ends' of the buildings (in the cases of A and B) front Taff Street and the frontage to the River Taff. Building C has the approximately the same dimensions in terms of width and length but is lower and more free form in appearance.

Building A: occupies the widest, southern part of the site and addresses the frontage to Crossbrook Street, as it runs down to Gas Road car park and the Taff Street/Crossbrook Street junction. It represents a major office floorspace component of the development. In addition there is a modest element of Class A3 floorspace at ground floor level at either end (Taff Street and River) of the building.

Building B: stands in the middle of the site and will be orientated as building A, east-west across the site. Also, like building A the floorspace will accommodate B1 office use with a small element of Class A3 use on the ground floor at the Taff Street end of the building.

Building C: which stands at the northern end (with fronting elevations to both Bridge Street and Taff Street) will incorporate a new library facility, together with a Council customer contact/access point, a small cafe facility, appointment/consultation/meeting rooms and a community room facilities and leisure/fitness facilities

Public space/circulation areas of some 14m in width are retained between buildings A and B and also between Buildings B and C. These 'gaps' not only enable the opportunity to provide public access and circulation space around the buildings, but also open up views from Taff Street of the river and Ynysangharad Park facilitating a greater visual connection with the town centre. On the eastern river side of the buildings three distinct 'viewing platforms' project out over the riverbank below in order that the opportunity to take advantage of the attractive views over the river and park beyond are maximised.

There are very initial proposals that in the future that a new bridge connecting the town to the Park on the opposite side of the River Taff could be provided and landed within this site (potentially between buildings A and B). However, such plans are at a very initial stage, with no firm commitment or funding and do not form any part of this application

The following documents, in addition to the suite of plans, have also been received in support of the application:

Design & Access Statement (DarntonB3 – May 2017)  
Pre-Application Consultation Report (DarntonB3 – July 2017)  
Planning Application Supporting Statement (DarntonB3 – July 2017)  
Transport Assessment (Hydrock – July 2017)  
Interim Employment Travel Plan (Vectos – July 2016)  
Ground Investigation Report (Hydrock – April 2017)  
Ecological Appraisal Report (Soltys Brewster – May 2017)  
Drainage Strategy (Hydrock – May 2017)  
Flood Consequence Assessment (Hydrock – July 2017)  
Environmental Noise Survey (Hunter Acoustics – January 2017)  
Acoustic Specification Building C (Hunter Acoustics – May 2017)

Stage 3 Building Services Review Report (Hunter Acoustics – May 2017)  
Air Quality Assessment (Arup – September 2016)  
Wind Microclimate Assessment (Hydrock – May 2017)  
Thermal Modelling Report (Hydrock – March 2017)

## **SITE APPRAISAL**

The site, which has an area of approximately 0.85ha, occupies a prominent 'gateway' position at the northern end of Pontypridd Town Centre. Along its western boundary the site fronts Taff Street, for approximately 120m opposite the YMCA buildings on the corner of Crossbrook Street/Taff Street north up to the end property 37 Taff Street. The eastern boundary of the site is defined by the River Taff. To the south the boundary is defined by Crossbrook Street, with Gas Road car park beyond and to the north by Bridge Street.

Historical OS records from before 1900 confirm that a road (River Street) running from Taff Street down to the river, with residential and/or commercial development including a public house occupied the eastern and northern part of the site. It is understood that the remainder of the site was occupied by a cattle market. However, in the 1960's (by which time River Street appears to have been re-named Turnpike Road) the site was cleared to facilitate the building of the Taff Vale Shopping Centre and core 5 storey office block.

The Taff Vale Centre was demolished down to the basement car park roof level in 2011 and the site hoarded up. Earlier this year the basement car park was also demolished and the site cleared.

Buildings along Taff Street, in the vicinity of the site are generally 3 or 4 storey in scale with a mix of both 19<sup>th</sup> and 20<sup>th</sup> century architecture.

The site itself does not lie within a conservation area. However, it does lie in very close proximity to a number of historic designations and heritage assets.

Immediately to the north the site abuts the Pontypridd (Taff) Conservation Area; to the west and south west (on the opposite side of Taff Street) lies the Pontypridd (Town Centre) Conservation Area and to the east on the opposite side of the River Taff Ynysangharad Park is a Registered Historic park. To the north lies the grade I listed building (which is also a scheduled ancient monument (SAM - GM015)) William Edwards Old Bridge; the grade II listed Pontypridd Museum/Cultural Centre and a grade II listed red telephone box.

To the west of the site in Gelliwastad Road, but somewhat further from the site are the Municipal Buildings (Grade II\* Listed) and a little further to the south west in Gelliwastad Road the Muni Arts Centre (Grade II Listed).

The River Taff is included within a SINC designation (site of interest for nature conservation).

The northern part of the site lies within the designated Pontypridd Town Centre Air Quality Management Area (AQMA), which for its greatest extent follows Morgan Street and Gelliwastad Road.

The site is within a very sustainable location within very close proximity to the town's bus station and within a short walking distance of the railway station.

## PLANNING HISTORY

Previous planning applications submitted at the site:

- |           |   |
|-----------|---|
| 16/0848   | Class B1 (office) led mixed use redevelopment, also including floorspace for class A3 (food and drink), D1 (non-residential uses) and D2 (leisure/assembly) uses up to 12,675sq.m. to be accommodated within 3 new buildings, above a basement car park and servicing area<br>Approved – 04/11/16 |
| 09/0651   | Redevelopment of the existing Taff Vale Shopping Centre to include retail (Classes A1, A2 and A3 uses) and a Hotel (as a phase 2) together with associated car parking, access and servicing.<br>Approved – 12/10/09  |
| 06/1539   | Mixed use development including retail, commercial, hotel, office<br>Resolution to grant, subject to a S.106 Agreement - 08/11/07<br>Withdrawn – 31/01/11   |
| 02/0919   | Retail Led Mixed Use Scheme<br>Approve, subject to a Section 106 Agreement - 09/12/04   |
| T/01/3100 | Renewal of Consent 56/97/2705<br>Refused – 14/06/02   |
| 97/2705   | Demolition of existing buildings and construction of retail development car park, office block and improvement of existing road junctions (Outline).<br>Approve – 05/02/99  |
| 93/0965   | Additional car park   |
| 90/0538   | Temporary Car Park<br>Approve – 04/09/90  |
| 89/2705   | Fountains Walk<br>(incomplete record)   |
| 89/1137   | Retail development, offices and parking.<br>Resolution to grant, subject to a Section 106 Agreement - 08/07/93,   |

## Section 106 never completed

89/0917      Retail development, refurbishing existing office block and construct leisure pool  
Approve 08/02/90

In addition, a number of minor planning applications for shop fronts, signs and changes of use within the former Taff Vale Shopping Centre were received by the Council and the former TEBC since 1974.

### PUBLICITY

The application has been advertised by means of a notice in the local press, the posting of site notices in the vicinity of the site and by direct neighbour notification letter.

At the time of preparing this report no responses had been received:

### CONSULTATION

**RCT Transportation Section** – raise no objections subject to the imposition of conditions.

Confirm that the submitted Transport Assessment (TA), Interim Employment Travel Plan, Design and Access Statement (DAS) and Planning Statement have been fully reviewed and considered .

Observations consider and comment upon issues of:

- site location and planning history;
- trip generation, traffic distribution and percentage impact analysis;
- road safety assessment;
- access and circulation;
- parking provision;
- road safety audit;
- public transport options/provision;
- travel plan;
- transport implementation strategy.

**RCT Public Health & Protection** – comment on issues of demolition, previous land use, contamination, air quality, disposal of waste and matters of potential noise, dust and impact from artificial lighting. Subject to conditions **no objections** are raised.

**RCT Flood Risk Management** – raise **no objections**, subject to the imposition of a condition.

**RCT Countryside Section (Ecologist) – no objections** are raised. Ecology issues have been appropriately considered. The Ecological Appraisal Report (May 17) sets out the key species and habitat issues (juxtaposition of the River Taff SINC 142) and through a series of appropriate surveys and assessments has concluded that a controlled scheme, with appropriate mitigation, can ensure ecology is successfully mitigated. I think that is a justified and reasonable conclusion. As such we need to condition (for a Wildlife and River Protection Plan) the recommendations made in Section 5 of the report.

**RCT Economic Development Officer** - The redevelopment of the former Taff Vale Centre in Pontypridd is a key component of the regeneration of Pontypridd town centre and will have a significant impact on growth in the Cardiff Capital Region. The delivery of this investment will provide a major boost to the town centre by developing a major site at a key gateway into the town, providing significant job opportunities, new facilities and services, an increase in footfall with subsequent opportunities for increasing spend in the town centre economy. The successful delivery of the redevelopment will increase investor confidence in the Pontypridd area leading to further development opportunities resulting in a more vibrant and viable local economy.

The Taff Vale redevelopment will also help to place Pontypridd in a pivotal position as an area of opportunity for growth and employment within the Cardiff Capital Region and enable it to take advantage of major initiatives such as the City Deal, Metro and Valleys Task Force.

**Natural Resources Wales** – raise **no objections** to the application and confirm that their comments (set out to the applicant's agent in a letter dated 14 June 2017) made in respect of the formal pre-application consultation remain relevant:

- Flood Risk – confirm that part of the site lies within Zone C1, as defined by the Development Advice Map (DAM) referred to in TAN15. The submitted Flood Consequences Assessment (FCA) produced by Hydrock (dated May 2017) has been reviewed and are satisfied with the information provided in the FCA;
- Land Contamination and Pollution to the Water Environment – We have reviewed the Ground Investigation Report, produced by Hydrock (dated April 2017). The potential for contamination at the site from previous historical uses is identified, as is the fact that the site is environmentally sensitive given that it lies directly next to the River Taff. It is considered that there remain some points of uncertainty in respect of the risk to controlled waters and therefore a fuller understanding is needed of the site in terms of groundwater;
- Ecology in respect of European Protected Species (EPS) – We have reviewed the Ecological Appraisal Report prepared by Solstys Brewster (dated 16 May 2017). No concerns are raised in respect of the impact on EPS as long as the development is undertaken in accordance with the recommendations made in Section 5.5 of the report.

In addition the presence of Japanese Knotweed and Himalayan Balsam is noted at the foot of the concrete wall that forms the site boundary. If the development is likely to affect these species then we would expect appropriate measures for their management/control to be incorporated into the development proposals for the site.

It is recommended that planning permission should only be granted with the imposition of suggested conditions addressing the significant concerns raised in relation the above identified matters. Subject to the imposition of such conditions **no objections** are raised to the application.

**Welsh Water** – raise **no objection** subject to the imposition of three conditions (requiring that none of the buildings be occupied until such time as the proposed drainage arrangement is completed in accordance with the approved details; that the development takes account of the public sewer that crosses the site and that no operational development be carried out within 3 metres either side of the centreline of the sewer; and that an adequate grease trap be fitted (given the presence of Class A3 uses) and advisory/informative notes.

**Cadw** – have reviewed the information provided and consider that there will be a moderately adverse effect on the scheduled monument, Pontypridd Bridge, however, this will not be significant. There will be no adverse effect on the registered park and garden, Ynysangharad Park. We therefore have **no objections** to the application.

**Royal Commission on the Ancient and Historical Monuments of Wales** – raise **no objections** as the remit of the Royal Commission permits us to comment only on the historical significance and context of a monument or structure and on the adequacy or otherwise of the record. It is noted that the development faces a listed chapel and Pontypridd Bridge, which is both a grade I listed building and a scheduled ancient monument. The impact of the proposed development on this monument will need to be carefully assessed.

**The Society for the Protection of Ancient Buildings (SPAB)** – any response will be reported orally at the meeting

**The Victorian Society** – raise **objection** to the application. The Council's attempts to redevelop and revitalise the site and wider area are supported. However, it is considered that the scale of the proposed buildings is excessive, especially in regard to the properties on the opposite side of Taff Street. It is further considered that the architectural detail of the buildings would mean that they fail to sit sympathetically with the existing surrounding built environment.

**Glamorgan Gwent Archaeological Trust (GGAT)** – confirm that the records held by the Trust show no recorded archaeological features within the site. A review of historic OS mapping of the area depicts several buildings in the western and northern parts of the site, including a public house and a cattle market. However, the subsequent development of the shopping centre and the 5 storey office tower in the

1960's, in particular the construction of the basements, will likely have had an adverse effect on any potential archaeological remains that might have been present.

The proximity of the Old Bridge and Ynysangharad Park are noted and it is advised that Cadw should be consulted.

It is unlikely that there is any archaeological restraint to the proposed development and **no objection** is raised to the positive determination of this application.

**The Garden History Society** – any response will be reported orally at the meeting.

**Wales & West Utilities (Gas)** – have provided a plan which confirms that WWU have pipes in the area of the application site (these appear to run down beneath Taff Street and Crossbrook Street). **No objections** are raised but WWU do make it clear that their apparatus may be affected and at risk during construction works and that should planning permission be granted the promoter of the works should contact WWU directly to discuss requirements in detail before any works commence on site. Any required works will be fully chargeable.

**Western Power Distribution (Electricity)** – **no objections** raised.

**South Wales Fire & Rescue Service** - confirm that they have been liaising with RCT's Building Control Department in relation to this development. Therefore, confirm that this authority has no comment to make in relation to the planning application.

**South Wales Police (Designing Out Crime Officer)** – has confirmed that the comments and observations raised in his initial response of 31 July 2017 have been appropriately responded to and therefore South Wales Police have **no objections** to this development.

**Your Pontypridd Business Improvement District (BID)** – no response received to date. Any response will be reported orally at the meeting.

**Pontypridd Town Council** – recognise that given the location, importance and scale of this development, which is **very much supported** by the Town Council, it is anticipated that it will bring significant benefits to the town. However, a number of points are made. Concern is raised with regard to potential highway and pedestrian safety during the construction phase; also during construction, the potential to cause damage to nearby historic town centre buildings through ground vibration (which was felt during the demolition process on the site); the ratio of car parking provision is noted; and, whilst the benefits of additional footfall in the town are recognised it is considered that this may be a strain on existing town centre resources and facilities (specific mention is made to the perceived lack of public toilets in the town).

**Rhondda Cynon Taf Access Group** – no response received to date. Any response will be reported orally at the meeting.

## **POLICY CONTEXT**

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

The LDP identifies Pontypridd as the Principal Town within the Southern Strategy Area.

The Taff Vale site lies entirely within defined settlement limits.

#### Core policies

Policy CS2 – confirms that in respect of development in the Southern Strategy Area the emphasis will be on sustainable growth that benefits the County Borough as a whole. 8 key criteria that will be considered in seeking to achieve this aim are identified.

Criteria specifically relevant to this proposal are noted below:

Criteria 2 – states that “Protecting the culture and identity of communities by focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings”

Criteria 3 – states that “Promoting large scale regeneration schemes in the Principal Town of Pontypridd and Key Settlement of Tonyrefail”

#### Area Wide policies

Policy AW2 – promotes development in sustainable locations. Sustainable locations are defined by a number of criteria.

Criteria specifically relevant to this proposal are noted below:

Criteria 1 – are within defined settlement boundaries

Criteria 2 – sites where the proposed use would not conflict with adjoining uses

Criteria 3 – sites that have a good accessibility by a range of transport modes

Criteria 4 – sites with good access to key services and facilities

Criteria 5 – sites within a TAN15 Zone C designation only where the proposed development is necessary to assist the regeneration of a Principal Town or the site is a large brownfield site and an acceptable FCA has been prepared.

Criteria 6 – sites where the proposed development would support the roles and function of a Principal Town

Criteria 8 – sites that are well related to utility services

Policy AW4 – provides for the negotiation of planning obligations

Policy AW5 - identifies design criteria (under the headings of Amenity and Accessibility) for new development.

Policy AW6 - supports development that promotes high quality design which makes a positive contribution to place making.

Policy AW7 - seeks to protect and enhance the built environment.

Policy AW8 - seeks to protect and enhance the natural environment.

(The site alongside its riverbank boundary adjoins SINC AW8.142 – Taff and Rhondda Rivers).

Policy AW10 – confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity (identified issues include air pollution, light pollution, noise pollution, water pollution, contamination, landfill gas, land instability and flooding or any other identified risk to the environment, local amenity and public health or safety).

#### Southern Strategy Area policies

Policy SSA1 – confirms that proposals for development within the defined town centre of Pontypridd will be permitted, where the development:

Criteria 1 – reinforces the role of Pontypridd as a Principal Town

Criteria 2 – respects the culture and heritage of Pontypridd

Criteria 3 – is of a high standard of design and makes a positive contribution to the townscape in the defined town centre

Criteria 4 – contributes to the enhancement of Ynysangharad Park

Criteria 5 – integrates positively with the existing built form

Criteria 6 – promotes opportunities for new retail, leisure and tourism development

Criteria 7 – promotes walking and cycling

Criteria 8 - promotes accessibility to services by a range of sustainable transport modes

Policy SSA16 – defines the retail centre of Pontypridd as a Principal Town Centre, at the head of the hierarchy of retail centres

Policy SSA17 – gives criteria for Class A uses in Pontypridd retail centre

#### **Supplementary Planning Guidance**

Rhondda Cynon Taf LDP SPG – Design and Placemaking (March 2011)

Rhondda Cynon Taf LDP SPG – Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011)

Rhondda Cynon Taf LDP SPG – Design in Town Centres (March 2011)

Rhondda Cynon Taf LDP SPG – The Historic Built Environment (March 2011)

Rhondda Cynon Taf LDP SPG – Nature Conservation (March 2011)

Rhondda Cynon Taf LDP SPG – Planning Obligations (December 2014)

Rhondda Cynon Taf LDP SPG – Employment and Skills (June 2015)

#### **National Guidance**

**Planning Policy Wales (9th Edition, November 2016)**

Chapter 4 of PPW sets out Welsh Government policy in respect of Planning for Sustainability.

Section 4.11 sets out the policies relating to planning for sustainability through good design. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals.

Section 4.12 requires that planning consideration be given to the need to construct sustainable buildings and promote climate responsive developments.

Section 6.1 (at para. 6.1.2) confirms that local planning authorities have an important role in securing the conservation of the historic environment while ensuring that it accommodates and remains responsive to present day needs.

Section 6.5 sets out policy in respect of development management and the historic environment. At para 6.5.7 it is confirmed that local planning authorities may impose condition/s requiring that an archaeological watching brief is carried out

Para 6.5.9 confirms that local planning authorities are required to consult the Welsh Government on any development proposal that is likely to affect the site of a scheduled ancient monument.

Para 6.5.11 confirms that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

Para 6.5.21 indicates that should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission. In exceptional cases the presumption may be overridden in favour of development deemed desirable on the grounds of some other public interest. The Courts have held that the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

Para 6.5.26 indicates that local planning authorities should protect parks and gardens and their settings included in the first part of the 'Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales'.....The effect of proposed development on a park or garden contained in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, or on the setting of such a park or garden, may be a material consideration in the determination of a planning application.

Chapter 7 of PPW sets out Welsh Government objectives in respect of economic development.

Para 7.1.3 states that the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development. To this end, the planning system, including planning policies, should aim to ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. Local planning authorities should aim to facilitate the provision of sufficient land required by the market, except where there are good reasons to the contrary. In addition, wherever possible local planning authorities should seek to guide and control economic development to facilitate regeneration and promote social and environmental sustainability. In so doing, they should aim to:

- co-ordinate development with infrastructure provision;
- support national, regional, and local economic policies and strategies;
- align jobs and services with housing, wherever possible, so as to reduce the need for travel, especially by car;
- promote the re-use of previously developed, vacant and underused land; and
- deliver physical regeneration and employment opportunities to disadvantaged communities.

Para 7.1.5 effective planning for the economy requires local planning authorities to work strategically and co-operatively steering development and investment to the most efficient and most sustainable locations, regardless of which local authority area they are in. In addition, travel-to-work patterns do not necessarily respect local authority boundaries and it is essential that local planning authorities identify and make adequate provision for their role in the regional and sub-regional economies of Wales.

Para. 7.6.1 confirms that local planning authorities should adopt a positive and constructive approach to applications for economic development. (for planning purposes the Welsh Government defines economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services).

Chapter 8 of PPW sets out Welsh Government objectives in respect to transport. Section 8.7 sets out the approach to be taken in respect of development management and transport.

Para. 8.7.1 indicates that when determining a planning application for development that has transport implications, local planning authorities should take into account:

- the impacts of the proposed development on travel demand;
- the level and nature of public transport provision;
- accessibility by a range of different transport modes;

- the opportunities to promote active travel journeys, and secure new and improved active travel routes and related facilities, in accordance with the provisions of the Active Travel (Wales) Act 2013;
- the willingness of a developer to promote travel by public transport, walking or cycling, or to provide infrastructure or measures to manage traffic, to overcome transport objections to the proposed development (payment for such measures will not, however, justify granting planning permission to a development for which it would not otherwise be granted);
- the environmental impact of both transport infrastructure and the traffic generated<sup>11</sup> (with a particular emphasis on minimising the causes of climate change associated with transport); and
- the effects on the safety and convenience of other users of the transport network.

Para. 8.7.2 indicates that Transport Assessments (TA) are an important mechanism for setting out the scale of anticipated impacts a proposed development, or redevelopment, is likely to have. They assist in helping to anticipate the impacts of development so that they can be understood and catered for.

Chapter 11 sets out Welsh Government policy in respect of tourism, sport and recreation.

Para. 11.1.3 confirms that sport and recreation contribute to our quality of life and that the Welsh Government supports the development of sport and recreation, and the wide range of leisure pursuits which encourage physical activity. These activities are important for the well-being of children and adults and for the social and economic life of Wales.

Chapter 12 sets out Welsh Government policy in respect of infrastructure and services.

Section 12.4 (Development Management and Water) makes it clear that the adequacy of water supply and the sewage infrastructure are material in considering planning applications. Development proposals in sewered areas must connect to the main sewer and it will be necessary for developers to demonstrate to local planning authorities that their proposal site can connect to the nearest main sewer.

Chapter 13 sets out Welsh Government policy in respect of Minimising and Managing Environmental Risks and Pollution.

Sections 13.7 and 13.9 deal with development management and the approach to geo-technical issues of contaminated land and unstable land.

Section 13.12 deal with development management and improving the quality of water and air

Para 13.12.1 The potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission. Material

considerations in determining applications for potentially polluting development can include (amongst others) the risk and impact of potential pollution from the development, insofar as this might have an effect on the use of other land and the surrounding environment (the environmental regulatory regime may well have an interest in these issues, particularly if the development would impact on an Air Quality Management Area 'AQMA').

Para 13.12.2 Local planning authorities should work closely with pollution control authorities when determining planning applications.

Para 13.12.3 Planning authorities may use planning conditions or obligations to meet planning aims to protect the environment where these are pertinent to the development proposed. It is important for planning authorities to understand the scope and purpose of conditions that can be imposed by pollution authorities so as to ensure that planning conditions neither duplicate nor conflict with such conditions. Proposed development should be designed wherever possible to prevent adverse effect to the environment but as a minimum to limit or constrain any effects that do occur.

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

### **Planning Policy Wales Technical Advice Notes (TANs)**

- TAN4:           Retailing and Town Centres (1996)
- TAN 5:           Nature Conservation and Planning (2009)
- TAN 11:          Noise (1997)
- TAN 12:          Design (2016)
- TAN 15:          Development & Flood Risk (2004)
- TAN 16:          Sport, Recreation and Open Space (2009)
- TAN 18:          Transportation (2007)
- TAN23:          Economic Development (2014)
- TAN24:          The Historic Environment (2017)

### **Government Circulars**

Welsh Government Circular 016/2014: The use of Planning Conditions for Development Management

Planning (Listed Buildings and Conservation Areas) Act 1990

## **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.

## **PLANNING CONSIDERATIONS**

### **Main Issues**

This application proposes a significant major development and accordingly it raises a wide range of planning considerations which require careful assessment prior to determination of the application. However, it is considered that the main issues in this case relate to the physical design, scope and size of the development and the likely impacts for the site itself and the wider townscape of Pontypridd; the proximity of historic designations and heritage assets; implications for highways/traffic/parking and sustainable travel modes; potential implications for nearest residential properties; interests of ecology/biodiversity; drainage and the potential for flooding; geotechnical matters and potential contamination; and, the potential for the development to act as a catalyst for wider economic and regeneration benefits for Pontypridd and the surrounding area.

### **Design**

As was recognised when Cabinet considered the Taff Vale site report in July 2016 the issue of prime importance in looking to develop a successful scheme for the Taff Vale site is that it is deliverable. For a host of reasons previous schemes on this site, whilst having been seen as acceptable in planning terms, have not proved deliverable in commercial terms.

However, in tandem with being deliverable the scheme needs to be exciting and distinctive in order that it can bring something different to the town which will have the wider benefits of breeding confidence in the town centre and wider area. At the same time the development needs to respond appropriately to the context of its setting, paying particular regard to the close proximity of two conservation area designations and a number of listed buildings (one of which, the Old Bridge is grade I listed and also a scheduled ancient monument (SAM)).

The larger two buildings A and B are of a more regular form with dimensions that provide commercially viable floor plate spaces for office use occupation. The orientation of these two buildings (east-west across the site) respects the predominant grain of Taff Street, with buildings of relatively short street frontage but with longer deep sides running perpendicular to the street.

Building C, at the northern end of the site, is the most individually distinctive and architecturally expressive building of the three. At its northern end the building will respect the scale of the Old Bridge and the listed Pontypridd Museum/Cultural Centre building and be of a comparable height.

It is anticipated that the frontage/corner entrance building A the south western corner of the site, opposite the YMCA at the Taff Street/Crossbrook Street junction, would form the most important point of arrival at the development for pedestrians coming from the train station and town centre and be a natural focal point of the scheme

The intention has been to develop a building at the northern end of the site which is clearly a modern contemporary design, as opposed to a scheme which seeks to focus on and replicate the historic forms of the existing buildings is supported and considered to be appropriate. It is considered that a contemporary design as opposed to a more traditionally focused scheme will generate a forward looking development, which can only be positive for the town as a whole.

In order to ensure that the design evolution and intention for the site have been given full and proper consideration the Council has taken the scheme through the DCfW Design Review procedure, both previously at the outline application stage and in respect of the current full application stage. Whilst this is not a statutory requirement it demonstrates 'good practice' and is considered appropriate given the scale and importance of the scheme. The DCfW Design Review was held at the DCfW Offices in Cardiff Bay on 28 March 2017

DCfW recognised that the Taff Vale site presents a very important regeneration opportunity for Pontypridd, given its scale, prominence and location within the town centre. Due recognition was also given to the Council for having the ambition to drive forward the proposed scheme.

The Council has had due regard to the comments made by DCfW in progressing the scheme through to formal planning submission. In respect of the specific comments made regarding the potential relocation of the office entrance for building A and the point as to whether the river end of building A was the best location for the riverside Class A3 unit the scheme has not been altered from that which was put before the Design Review. The Council gave careful consideration to the points made, but ultimately decided that the practical and commercial realities of making such changes made these suggestions undesirable in the wider consideration.

### Building A

The largest of the three buildings and will occupy the widest part of the site. The building will be of the following dimensions:

Width: (north to south dimension) – 16.75m

Length: (Taff St to river dimension) – 71m along the Crossbrook Street (southern) elevation and 62m along the northern (facing building B) elevation

Height: 5 storey (four floors, above ground floor level) with a maximum height to the top of the roof plant room (from the Taff Street level) of 24m

The design of the envelope of the building has been developed with an expressed frame design which helps to visually sub-divide its massing. In addition the more prominent southern elevation contains a 4 storey projection (by some 3m) of approx. 23m in width across the Crossbrook Street elevation of the building. The roof of this projecting element will be accessed from the 5<sup>th</sup> floor of the main element of the building and is shown with 1m glazed panels around the edge.

Building A will be predominantly in Class B1 office use across its five storeys of floorspace and is estimated could accommodate up to approx. 680no. people.

On the ground floor level at either end of the building a Class A3 unit is provided. The smaller of these wraps around the north western corner of the building, fronting Taff Street. The larger of the two A3 units will also occupy a lower basement level (there is a fall of approx 5m from the Taff Street level to the riverside end of the building at the lower end of Crossbrook Street) and it is anticipated this would be occupied by a restaurant type A3 user. As part of this larger A3 unit an outdoor seating area is shown as wrapping around the southern eastern corner of building A, allowing views out over the river and towards the park opposite.

The 'front door' of building A addresses the Taff Street/Crossbrook Street junction, where a proposed paved traffic table will announce the start of the pedestrianised part of the street. It is also considered that having the main entrance in this part of the building allows it to better integrate with Taff Street and the wider town centre and create a clear legible point of reference for workers/visitors arriving from the train station at the other end of the town centre.

The architecture of building A (as is that of the adjacent building B) is more formal in terms of the straight lines and framing design. The predominant feature is curtain walling with both opaque glazed and colour panels. Large panels of dark grey frame curtain walling are framed by light buff grey brick panels with flush mortar joints expressing the vertical structural grid of the building and giving them weight. The ground floor is also wrapped in curtain walling and set back from the main facade line to give the impression of the upper floors floating. Colour is picked out in the vertical brise soleil and the opaque elevational panels. The fifth floor incorporates a greater use of brickwork and a more random pattern of fenestration openings.

The plinth area beneath the ground floor level, as one goes down Crossbrook Street will be built using a darker version of the building brick, which is intended to give a visual separation. Louvre panels (which will be dark grey as the building curtain walling) within the plinth will facilitate the free flow of air into the basement parking and service areas.

### Building B

The middle of the three buildings and will occupy the central part of the site. The building will be of the following dimensions:

Width: (north to south dimension) – 17m

Length: (Taff St to river dimension) – 54m along the southern (facing building A) elevation and 45m along the northern (facing building C) elevation

Height: 5 storey (four floors, above ground floor level) with a maximum height to the top of the roof plant room (From the Taff Street level) of 24m

Although the same height as the larger building A, the top (fifth floor) of building B is inset. This allows views from within Taff Street to visually consider the building as four storeys and as an intermediate step in scale from building C to building A.

As with building A the architecture of building B is more formal in terms of the straight lines and framing design. The predominant feature is curtain walling with both opaque and glazed colour panels. Large panels of dark grey frame curtain walling are framed by light buff grey brick panels with flush mortar joints expressing the vertical structural grid of the building and giving them weight. The ground floor is also wrapped in curtain walling and set back from the main facade line to give the impression of the upper floors floating. Colour is picked out in the vertical brise soleil and the opaque panels, where the colours it is proposed to use red/orange/yellow will purposely differ from the greens/yellow/cream used on building A.

Building B will be predominantly in Class B1 office use across its five storeys of floorspace and is estimated could accommodate up to approx. 400no. people. Like building A there is also a Class A3 unit incorporated within the building. In this case it is situated on the ground floor along the western Taff Street frontage of the building.

The entrance into the A3 unit would be from the end of the building, on Taff Street. However, the entrance to the foyer area for the offices is on the southern side (facing building A) of the building and so will be accessed from the public realm area between the two buildings.

### Building C

Has a trapezoid like, with rounded corners, shape footprint which occupies the northern part of the site. The building will be of the following dimensions:

Width: (north to south dimension) – 32m

Length: (Taff St to river dimension) – 33.5m at the widest (southern end) point, reducing to 24m at the narrowest (northern end) point

Height: 2.5 to 3 storey with the roof at the northern end of the building being 11m high, but then sweeping up to 16m at the southern end (facing building B).

Sitting at the northern end of the site and the town centre the curvilinear form of the building creates an architectural contrast to its neighbours, buildings A and B. It is less formal/traditional in design and is curved in plan and elevation, which requires a finishing material that flows with its form. Again, the ground floor utilises curtain walling, but this is set in at an inclined angle and extending across floors on the northern and southern sides. The upper floors employ a zinc cladding tile system to follow the compound curves in a smooth facade. Smaller windows are punched through the zinc skin where the large glazing areas are not required or suitable. The roof, though barely seen from street level, employs a standing seam sheet metal zinc material to give the impression of a flowing material skin from wall to roof.

The building will incorporate a new library facility on the ground floor, together with a Council customer contact/access point, a small cafe facility, appointment/consultation/meeting rooms and a community room facilities. Stairs within the library element of the ground floor provide connecting access to a further 'quieter' part of the new library which will be accommodated on the first floor, together with an IT training room and reference room facilities. Also accommodated on the first floor (on the southern side of the building) will be a new leisure/spin/multi-function rooms, together with appropriate changing fitness. These together with the new gym facility on the partial (southern side of the building) second floor will be accessed separately from the first floor library area.

In developing the scheme and having regard to WG sustainability principles, consideration has been given to desire to control passive solar gain. Appropriate elevations of buildings A and B will be fitted with brise-soleil, which will act almost like external blinds and control the amount of direct sunlight entering the building across these elevations. In addition the Class A3 uses are located in the positions that will benefit most from an aspect that maximises direct sunlight, to make likely outdoor seating areas pleasant to use. Both the roof areas of buildings A and B will incorporate the siting of a photovoltaic panel array in order to capture solar energy.

#### Basement Level

As part of the development a new common basement area level will be provided under the three new buildings. This area will provide car parking, loading areas, cycle storage facilities, stair and lift access to the buildings above and the necessary space for storage and plant facilities (i.e. water storage tanks, LV switch rooms, sub-station, refuse storage provision).

Access to the car parking and servicing in the basement will be via an access directly off Crossbrook Street, below building A at a point approximately halfway down Crossbrook Street.

#### Public Realm and Landscaping

This site occupies a prominent and important site within Pontypridd and it is considered that the successful treatment of the public realm/open space within the development is as integral to the impact and success of the overall scheme as the buildings themselves.

The existing landscape context presents a hoarded up cleared site with a concrete access road (Crossbrook Street) providing access down to Gas Road Car Park. This southern boundary is visually poor with a sub-station at the lower end of Crossbrook Street, on the eastern side of the access into Gas Road Car Park. Currently there are parking spaces (regular and disabled) down Crossbrook Street.

The aim of the public realm landscaping (both hard and soft) proposed is to create a traffic free public realm that compliments not only the new buildings but also the existing public realm within the town centre, using the same palette of paving materials to provide continuity with the town centre improvements. The pedestrian circulation spaces between the three buildings will include paving referencing the building grids and soft landscape elements in planters in order to provide pedestrian scale and definition. Trees and shrubs between the buildings will be positioned within raised planters, with the trees alongside the river (eastern side of the site) being planted in ground level tree pits (which will puncture through the ceiling of the basement level) with tree grille to finish.

These areas will create an inviting environment for both building workers/users and the general public. Provision has also been made for occasional market stalls to be erected, for example at Christmas time. It is proposed that these would be located between buildings A and B and buildings B and C in order to promote circulation within these spaces.

The podium level leads directly off Taff Street and Bridge Street and is designed to fall to a low point elevated above the bottom of Crossbrook Street. From here access to Crossbrook Street and Gas Road Car park is provided via a gradually falling path and a complimentary set of steps. Apart from the few steps outside building A these are the only set of steps within the public realm. By designing out sudden and steep level changes, the design for the public realm allows access to all user groups without special measures needing to be incorporated. Access into the three buildings off Taff Street will be via level thresholds. Permanent impaired mobility parking for staff of buildings A, B and C is contained at basement level, with Equalities Act compliant lifts taking users up into the main cores of each building.

As part of the application submission a Wind and Micro Climate Assessment was provided. This document has been produced to inform the design, having regard to the results of an assessment into the proposed development and its potential impact on wind speed and microclimate in the immediate surroundings.

The assessment considered a number of potential receptors within the proposed development and considered the potential risk areas (such as the amenity areas,

pedestrian routes, external seating areas – both public and A3 units, building entrances, possible roof top terraces for elevated wind speed or building massing wind effects.

All receptors were found to have an acceptable or tolerable wind environment for their intended use. This means that there is unlikely to be any significant occupant comfort issues throughout the year. In summer the south westerly or westerly wind does not introduce any occupant discomfort within the new development site. Most of the receptors at ground level are within the comfort range. At the roof terrace (4th floor), higher wind speed has been evaluated however this is generally within comfort ranges. During infrequent storm events, higher wind speeds will be experienced at receptors. This is not deemed to be a significant issue as the wind speed overtakes 10 m/s for 1% of the year, and it is likely that this occurrence will be in the context of the windiest days only.

### Hard Landscaping

The components of hard landscaping within the areas of public realm constitute:

- the access roads (Crossbrook Street and the entrance aprons into the basement area and Gas Road Car Park;
- the areas of paving between and around the buildings; and,
- the street furniture – seating, planters, cycle stands, litter bins and bollards etc

Crossbrook Street is currently a concrete road with regular and disabled parking spaces marked out on both sides as it falls from the junction with Taff Street down to the entrance into Gas Road Car Park. As it currently looks this would present a poor visual relationship with the proposed development. The existing parking spaces will be removed and in part re-located.

It is proposed to provide a new buff coloured surface treatment to Crossbrook Street, including the entrance aprons into the basement area and Gas Road Car Park. In addition, the refuse turning head, to be formally created, at the bottom of Crossbrook Street beyond the turning into Gas Road Car Park, will be finished in a complimenting coloured (colour to be agreed) tarmac surface. New natural stone paving will be laid down the northern side of Crossbrook Street and around the refuse turning head facility. On the southern side of Crossbrook Street contrasting concrete block and flag paving will be used.

Contrasts in the paving materials used will provide interest and subtle distinction in the surfaces between the buildings and along the riverside walk. On the riverside, between buildings B and C it is proposed to incorporate an oval like shape of feature paving, with a number of bench arranged to reflect the circular pattern within the paving.

In the two spaces between the three buildings and alongside the riverside a range of timber seating/bench designs will be utilised.

Stainless steel bollards are to be positioned between buildings A and B and buildings B and C alongside Taff Street frontage. In both cases a number of the bollards will be removable in order to facilitate emergency and maintenance access if and when required.

Ten stainless steel Sheffield cycle stands will be sited around the south western rounded corner of building C.

The raised tree and low raised shrub planters to be sited between the buildings will be finished in a powder coated stainless steel. Feature lighting will provide uplights to the trees and lighting to the shrubs in the low raised beds.

### Soft Landscaping

The proposed planting scheme incorporates the use of trees, shrubs and new hedgerow.

Trees (Field Maple and Hornbeam) will be provided in raised planters between the buildings, with trees in ground level tree pits along the riverside (Sweet Gum) and down the southern side (Small Leaved Lime) and northern side, by the refuse turning head (Sweet Gum) of Crossbrook Street.

Shrubs, of a number of different species, will be provided in low raised planters between the buildings. Areas of shrub planting will also take place at the lower (river wall) end of Crossbrook Street and around the inside curve of the entrance into Gas Road Car Park.

Two lengths of Beech hedgerow will be planted, these being on the southern side of Crossbrook Street adjoining the boundaries with Gas Road Car Park and the electricity sub-station.

Two modest areas of lawn grass planting (with aluminium edging) will be provided wrapping around the southern end of building C, one either side of the entrance into the building.

In respect of landscaping the imposition of a condition (*condition 21*) is recommended in order that final outstanding matters of landscaping detail (such as the design of bespoke bench, the colour for the tarmac to be used in the refuse vehicle turning head and the type of concrete and flag products to be used) can be agreed.

### Community Safety and Crime Prevention

A further aspect that needs to be assessed in consideration of the treatment of the public realm is its ability to influence and respond to issues of community safety and crime prevention.

The requirement to have regard to community safety is clearly expressed within TAN12: Design and in PPW. In January 2012 WG also issued revised guidance (originally issued in March 2010) on 'Crowded Places – The Planning System and Counter-Terrorism (2012). This document recognises that different locations and developments will be subject to different levels of risk.

The South Wales Police's Designing Out Crime Officer was consulted in respect of the application. Following initial consultation he made a number of comments in respect of specific issues, such as the need for CCTV system coverage, controlled access to the basement, careful design of benches and street furniture, installation of blast resistant glazing on ground floors and thought given to the position and size of landscape planting. In response to his comments the agent/architect has confirmed in a Project Note how the design of the buildings and the public realm has considered and responded to these issues. Subsequently, the Designing Out Crime Officer has confirmed that South Wales Police have no objections to the development. It is considered that this demonstrates that the scheme does adequately consider and address issues of community safety and crime prevention. It is considered that the scheme is compliant with policy AW5 (criteria 1f) of the Council's LDP and national planning policy and guidance.

#### Heritage Assets and Historic Designations

The site itself does not lie within a conservation area. However, it does lie in very close proximity to a number of historic designations and heritage assets.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that a LPA in considering whether to grant permission for development which affects a listed building or its setting, has special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

National planning policy, as set out in Planning Policy Wales (PPW) confirms that it is important that the historic environment – encompassing archaeology and ancient monuments, listed buildings, conservation areas and historic parks, gardens and landscapes – is protected. PPW also confirms that the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application.

In relation to conservation areas, PPW states that, should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission. In exceptional cases however, the presumption may be overridden in favour of development deemed desirable on the grounds of some other public interest.

PPW also sets out that LPAs should protect parks and gardens and their settings included in the first part of the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. The effect of proposed development on such a park or garden or on its setting may be a material consideration in the determination of a planning application.

Immediately to the north the site abuts the Pontypridd (Taff) Conservation Area; to the west and south west (on the opposite side of Taff Street) lies the Pontypridd (Town Centre) Conservation Area and to the east on the opposite side of the River Taff Ynysangharad Park is a Registered Historic park. To the north lies the grade I listed building (which is also a scheduled ancient monument (SAM)) William Edwards Old Bridge; the grade II listed Pontypridd Museum/Cultural Centre and a grade II listed red telephone box.

To the west of the site in Gelliwastad Road, but somewhat further from the site are the Municipal Buildings (Grade II\* Listed) and a little further to the south west in Gelliwastad Road the Muni Arts Centre (Grade II Listed).

Cadw have a statutory role as consultee in respect of the Old Bridge, given its SAM status.

Cadw confirm that they have carefully considered the information submitted with the planning application, which allows them to provide advice regarding the impact of the proposed development on the setting of scheduled monument Pontypridd Bridge (GM015).

Pontypridd Bridge (GM015) comprises a single arch bridge with its spandrels pierced by 3 circular holes. This was a unique design by William Edwards that produced the widest span bridge in Britain in 1756. When built the bridge was in a rural setting, with the construction of Pontypridd taking place around it following the construction of the Glamorgan Canal in the late 18th century. The monument is of national importance for its potential to enhance our knowledge of post-medieval construction techniques and transportation systems. It retains significant archaeological potential, with a strong probability of the presence of associated archaeological features and deposits. The structure itself may be expected to contain archaeological information concerning chronology and building techniques. Therefore the ability to view the bridge, the width of the river it crosses and the general topography of the area, assist the observer in understanding the engineering challenges that were overcome when it was constructed.

The proposed development will be visible in all views of Pontypridd Bridge from the north. It will, in Cadw's opinion, be seen as bulky development behind the bridge, but the impact will be reduced by the form of the northern building with its sloping roof. In comparison with the former Taff Vale Centre the development will be further away from the bridge and lower. Consequently, Cadw consider that it will have a lesser impact on the view of the bridge from the north. Likewise in views from the east and

west along Bridge Street the illustrative curvilinear form of the northern building along with its sloping roof will lessen the impact of the modern buildings on the bridge.

Cadw consider that the development will have an impact on the setting of the bridge, especially when considered against the current situation, with the proposed development site cleared of buildings and thus being closer to the setting of Pontypridd Bridge when it was constructed. However, it is necessary to consider that the site has been developed for over 200 years and in our opinion the proposed development is less dominating than the previous shopping centre. Consequently Cadw consider that the proposed development will have a moderate impact on the setting of Pontypridd Bridge (GM015), but this will not be significant.

An objection to the application has been received from The Victorian Society who raise concerns regarding the scale of the buildings proposed and suggest that buildings A and B should both be reduced in height by one storey. In addition they consider the proposed architectural treatment of the buildings to out of character with the existing environment.

The impact of the proposed development on the setting of Ynysangharad Park is a material consideration in the determination of this application. Currently there is little relationship between the two as views are blocked by a row of dense tall trees. Cadw do not consider that the proposal will have an impact on the setting of Ynysangharad Park, largely due to the fact that views between the two sites are blocked by a row of dense tall trees.

Cadw do note that the submitted plans do refer to the fact that a possible future new bridge will be created across the River Taff linking the proposed development with Ynysangharad Park. In principle this idea is welcomed by Cadw. However, they point out that consultation would be required on this proposal to ensure that any new gateway into the park is able to be absorbed into the historic layout of the registered historic park.

Regard has been had to the concerns raised by The Victorian Society. However, having regard to LDP policy AW7 and supporting para 5.49, national policy and guidance and the comments of Cadw it is not considered that the proposed scheme would cause direct harm or harm to the settings of the identified heritage assets to any substantive degree.

#### Visual Impact and Townscape

Somewhat surprisingly for a large site in the town centre, that the scheme may only be seen in its entirety from a relatively small number of key viewpoints:

- From within Ynysangharad Park and the Taff footbridge
- From the Old Bridge
- From the northern end of Taff Street / Berw Road
- From the Gas Road car park

- From some of the hillsides surrounding the town.

It is considered that the scheme would be largely 'hidden' away from almost all of Taff Street south of the site. Pedestrians walking north along Taff Street will almost have to enter Crossbrook Street before the new buildings come into view.

The highest building proposed is only one floor higher than many existing buildings on Taff Street and although the modern commercial floor dimensions may exaggerate this, it is not considered that this relationship will be unsatisfactory. Nevertheless, the fifth storey/the top floor on building B is inset so that from many views there is a clear and understandable step in heights from north to south.

The view west across the Old Bridge is an important consideration. The proposed scheme fronts up to the listed Pontypridd Museum/Cultural Centre building with a two storey elevation of glazing and zinc cladding of comparable scale.

Views from surrounding high points are important considerations. Building C's organic form is

also proposed so that it can offer a fifth façade (the roof) and treat it as importantly as its elevations.

It is recognised that the Taff Vale site has previously supported tall buildings. The proposed scheme is certainly lower than and lesser in massing than the 2006 retail led commercial scheme and is considered that its scale, massing and form would create a positive addition to the existing townscape of Pontypridd.

#### Highways/Traffic/Access/Parking Issues

A Transport Assessment (TA) and Interim Employment Travel Plan have been submitted as part of the planning application submission. The Council's Transportation Section have fully reviewed the TA and Travel Plan in assessing the proposal. Overall, they have raised no objections to the application, subject to the imposition of conditions (*conditions 4, 5 and 6*).

#### Car and Cycle Parking

The submitted application documentation and plans indicate vehicular access into the basement parking and servicing area via a point to/from Crossbrook Street. The basement level plan shows the provision of 72no. car parking spaces (inc. 10 disabled user spaces), together with provision for 82no. cycle storage spaces. It is noted however, that 2no. of the regular car parking spaces also double up as charging point spaces for electric car charging and so it is not considered appropriate to include this within the actual parking provision figure. So in effect 70 car parking spaces are provided within the scheme.

In addition a further 6 disabled parking spaces will be provided (3no. each, within 2 bays) on Taff Street. As these spaces are proposed on-street they would be available for use by the public at large and would not necessarily be available for

disabled parking associated with the development. It is considered however, these spaces will in part replace those disabled marked spaces that will be lost on Crossbrook Street.

A total of 82no. covered and secure cycle parking spaces will be available in the basement car park. These will be split between the three buildings with 46 spaces in building A, 28 in building B and 8 in building C. There will also be Sheffield stand cycle parking spaces provided on ground level within the new scheme.

The parking standards within the SPG document indicate the following maximum requirements for offices of 1 space per 40-60sq.m. The proposed scheme seeks 8,488sq.m. of office floorspace. Accordingly, this would generate a maximum parking requirement of between 141 – 212 spaces. There is a maximum requirement of 1 space per 60sq.m. for the class A3 units, which generates a requirement for a further 9 spaces. There is a nil requirement for parking in respect of the class D1 and D2 uses within building C.

It is acknowledged that the car parking provision is low at 70 spaces in relation to the SPG but has been designed to promote the most sustainable forms of transport whilst at the same time ensuring the scheme remains economically attractive. The site is in the most sustainable location in the whole of the County Borough, with easy access to bus and rail, walking and cycling routes and public car parks at Gas Road, Berw Road, The Goods Yard, Sardis Road and Catherine Street all nearby.

The level of parking provision is justified by the adoption of a travel plan and provision of cycle parking to encourage use of sustainable means of transport. At the present time 12/13 trains per hour arrive at Pontypridd railway station and of the order of 70 buses arrive every hour during the peak times for travel demand at the adjacent bus station. Increased patronage on bus services will help to sustain and possibly generate additional services.

As part of the metro enhancements, it is currently envisaged that there will be four trains per hour linking each of the tops of the three valleys north of Pontypridd with Pontypridd and similar return journeys from Cardiff. This will increase the availability of opportunities to travel by rail to and from Pontypridd by providing of the order of 24 trains per hour arriving at Pontypridd. This will further enhance Pontypridd as one of the most well-connected and highly accessible destinations outside the main cities in South East Wales.

A travel plan secured by condition (*condition 6*) should be challenged with encouraging a high percentage of journeys to be made by sustainable modes of travel.

In respect of concerns related to car parking demand and notwithstanding the exceptional potential for sustainable travel, it should be noted that there is

underutilisation of long stay car parks within the town centre. Current average monthly demand in long stay car parks is as follows;

- Sardis Road 35% of capacity utilised 65% available
- Berw Road 57% of capacity utilised 43% available
- Millfield 71% utilised 29% available
- Goods Yard 80% utilised 20% available

Typically, there are 150 spaces available in council managed and maintained long-stay car parks on an average week day. When combined with the 56 on-site spaces and the added availability of parking in private car parks at Goods Yard and Catherine Street, it is clear that any additional demand can be adequately accommodated.

### Servicing

It is proposed to provide refuse collection from a service bay located adjacent to the site on Crossbrook Street. The bin store is located in the basement area within the vicinity of the ramped access and as such the bin stores are situated within around 25 metres of the service bay. To facilitate servicing in this location, a turning head is proposed at the eastern end of Crossbrook Street to allow refuse vehicles and rigid HGVs to turn safely. Refuse vehicles would wait in the loading bay and would be able to turn in the proposed turning head. It is proposed to realign the access to the Gas Road car park slightly to the west to accommodate this turning head, which requires amendments to the existing retaining wall. The revised Gas Road car park access arrangements are estimated to result in the loss of around 15-20 car parking spaces, although a reconfiguration of spaces could reduce this loss. The revised arrangements will still maintain access to the adjacent substation at the north-eastern end of the Gas Road car park.

The turning head arrangement would be used infrequently for refuse collection (once per week) and ad hoc deliveries (potentially once per day). For the majority of the time, this would act as a shared surfacing arrangement suitable for use by pedestrians. The manoeuvring of a refuse vehicle would not require a vehicle to reverse on the highway or conflict with movements on Crossbrook Street and Gas Road. Suitable visibility is provided in both directions from the newly provided junction at 43m. Cars can pass on the bend into the Gas Road car park.

This turning head arrangement would not facilitate the turning movement of an articulated vehicle. This vehicle type would be generated by the development on extremely rare and infrequent occasions and as such the large refuse vehicle is likely to be the largest vehicle type turning on Crossbrook Street. A traffic regulation order (TRO) to restrict access to vehicles in excess of 11.5 metres in length could be implemented on Crossbrook Street, although this would need to consider the operational requirements of other users.

A further service bay has been provided along the frontage of the site on Taff Street. This service bay is 16-18 metres in length and would provide the main loading / unloading area for the development, particularly for the A3 units.

Transit vans of less than 3 metres in height will also be able to service the site from the basement which provides three loading bay areas. The majority of servicing and delivery vehicles are likely to be transit van type vehicles and as such the choice of servicing arrangements provided by the development is considered acceptable and appropriate.

#### Impacts on Residential Amenity

The nearest residential properties to the site are those upper floors (in residential occupation) of some of the properties on the western side of Taff Street opposite the site. To the south are some examples similar residential upper floor uses in Taff Street, whilst to the north and northeast are the more traditional residential properties in Ceridwen Terrace and Sion Street.

Whilst the outlook of some properties, in particular those located on the upper floors of some of the properties on the western side of Taff Street opposite the site, will be impacted upon, particularly by the larger buildings A and B it is not considered that those impacts would be so detrimental as to justify a substantive objection to the application.

It is considered that the scheme retain a sufficient distance between the elevations of the properties on the western side of Taff Street and the new buildings (17m in the case of building A, between 14m and 16m in the case of building B and 10.5m to 12m in the case of building C) to ensure that any issues of overlooking, with resulting concerns regarding a potential loss of privacy, would not be so significant as to justify a substantive objection to the application. Further, it should be noted that the previous 2006 scheme proposed an overall building of a far greater mass and scale, which went up to 7 levels in part.

Whilst having regard to the town centre location of the site, the buildings will contain appropriate levels of acoustic mitigation to ensure that no levels of noise will cause un-due disturbance to the nearest surrounding residential properties.

#### Ecology/Biodiversity

The River Taff, which adjoins the eastern boundary of the site is designated as a SINC (Site of Interest for Nature Conservation) under policy AW8 of the LDP (site no. AW8.142).

An Ecological Appraisal Report has been submitted with the application.

As part of the multi-disciplinary design team appointed for the Taff Vale Redevelopment project in Pontypridd, Soltys Brewster Ecology were commissioned to undertake an updated ecological appraisal of the site and adjacent river corridor. Survey work, comprising of data searches, bat and Otter surveys were completed in

2015 by Soltys Brewster to inform separate applications for demolition of the basement car park and an Outline planning submission (Ref: 16/0848/08) for redevelopment of the site. However, following the car park demolition works in the first quarter of 2017 and further discussion with the Council's ecologist, the focus of the updated ecological appraisal for the current application was identified and agreed as the corridor of the River Taff and associated bank-side habitats. As the site now only comprises compacted, levelled demolition rubble above the riverside flood defence/retaining wall with vertical retaining walls remaining from the former basement car park - these features were considered of no ecological importance as regards the planning application.

The Otter survey, undertaken on 21 April 2017, incorporated the same survey extent as that reported in 2015 extending from the Ynysanghard Park footbridge to 50m upstream of Bridge Street. Evidence of continued use by Otter was confirmed by spraint at several locations along both the western (site) and eastern (park) banks. A small number of lying up spots (sheltered locations that an Otter could use on a temporary basis) were also identified over the course of the survey. The vegetation along the western bank within the surveyed area had been cleared (possibly by Welsh Water) in February 2017 although regrowth was evident during the current survey – this included several stands or localised areas supporting invasive Japanese Knotweed, Himalayan Balsam and Montbretia. No trees are present along the western bank and no features suitable for roosting bats were associated with the flood defence wall alongside the site.

The redevelopment will incorporate localised enhancement measures for birds and bats including boxes for Swift, House Sparrow and roosting bats incorporated along the eastern elevation of buildings A & B (along the river frontage). Nest tunnels for use by Sand Martin and Kingfisher

will also be incorporated into the void between the floor slab and basement car park with direct access (for birds) onto the river corridor. Integral bat boxes (e.g. Schwegler type 1FR tube) will be incorporated into the eastern elevations of buildings A & B. The following boxes will be provided:

- 4no. Schwegler 1SP Sparrow terrace. 2 terraces to be installed on north east elevation of building A & building B at a height of 4-5m (approximate to 2nd floor level);
- 2 no. Schwegler No.16 Swift Box. Two boxes to be installed on north eastern and south eastern corner of building A & building B. Boxes to be at a height of approximately 7m (approximate to 4<sup>th</sup> floor level);
- 4no. Schwegler 1FR bat tubes to be installed on north eastern and south eastern corner of buildings A & B as described for Swift. Boxes to be at a Height of 4-5m (approximate to 2nd floor level);
- 12no. Sand Martin nest boxes to be installed into the void between the floor slab and basement car park along the eastern elevation of the site;

- 2no. Kingfisher nest tunnels<sup>10</sup> to be installed as for Sand Martin tunnels. Kingfisher tunnels to be at least 2m apart from each other.

The Council's ecologist has carefully considered the submitted Ecological Appraisal Report and has concluded that it sets out the key species and habitat issues (juxtaposition of the River Taff SINC 142) and through a series of appropriate surveys and assessments. He agrees with the conclusions of the Report that a controlled scheme, with appropriate mitigation, can ensure ecology is successfully mitigated. In order to secure this a condition (*condition 27*) is imposed requiring the submission and approval of a Wildlife and River Protection Plan.

Pre-application discussions with the local authority landscape and ecology officers has identified that a programme of spraying Knotweed along this section of the river Taff is already in place. Continuation of this method of control on the river bank alongside the site is considered the most practicable solution at present and will be agreed and implemented by a imposition of a condition (*within the requirements of condition 27*). Monitoring of invasive weed management will also be implemented with supplementary planting as appropriate. Vegetation along the bank, invasive weeds excepted, includes Reed Canary Grass, Hemlock Water Dropwort and coppiced Willow and Alder. Any new planting (if required) will incorporate one or more of these species already present at the site.

#### Drainage and Flooding Issues

Flood Consequences Assessment (FCA) and Drainage Strategy documents were submitted with the application.

Appropriate consultation has been undertaken with NRW, Dwr Cymru/Welsh Water and the Council's Flood Risk Management Section and no objections have been received, subject to the imposition of appropriate conditions (*conditions 7, 8, 9, 10 and 11*).

NRW have confirmed that the application site lies partially within Zone C1 as identified on the Development Advice Map (DAM). They confirm that they are satisfied with the information provided in the submitted FCA and that the concrete flood wall provides adequate protection in a 1000 year flood event. However, one of the conditions sought by NRW is that the flood wall is inspected by a suitably qualified person in order to ensure that it is structurally sound.

Welsh Water sewers are located in Taff Street to the west of the site and these discharge into a combined sewer overflow, which runs beneath Crossbrook Street down to the 300mm cast iron sewer which runs along the western bank of the river. At this stage it is proposed to connect the foul drainage from the scheme into the sewer running south beneath Crossbrook Street.

Surface water run-off from the development would discharge to the River Taff, although building rainwater tanks attenuation are features within the basement level.

Welsh Water have sought, through a suitably worded condition, that the recommendations of the submitted Drainage Strategy are fully implemented before the buildings are first occupied (*condition 7*).

### Geotechnical Issues

A Ground Investigation Report has been submitted with the report. This document considers issues of geology, hydrogeology, hydrology, past coal mining and potential contamination in respect of the site. Attached as appendix 'D' within the report is a mining report obtained from the The Coal Authority which confirms that based on available Coal Authority records that the property is not within the zone of likely physical influence on the surface from past or present underground workings, ie a 'High Risk' area. Accordingly, in this case a Coal Mining Risk Assessment (CMRA) is not required as part of the application submission.

The submitted Report does recommend that further detailed design is undertaken in respect of issues such as foundations design and piling methodology, in addition to further discussions with regulatory bodies regarding the conclusions of this report, in particular NRW and the risk to controlled waters and ground gas characterisation to be agreed with the Local Authority.

NRW in their response to the application have identified the site as being environmentally sensitive as it lies directly adjacent to the River Taff. As a consequence of its location, previous land uses and potential for areas of contamination, together with the fact that the site is underlain by a layer of made ground NRW have requested the imposition of a number of conditions to address the identified issues and potential concerns (*conditions 15, 16, 17, 18, 19 and 20*).

In respect of potential geotechnical and contamination issues RCT Public Health & Protection have also recommended the imposition of conditions (*conditions 12, 13 and 14*).

### Other Issues

#### Air Quality

As noted earlier in this report the northern part of the site does fall within the Pontypridd Town Centre Air Quality Management Area (AQMA). To address this issue an Air Quality Assessment Report has been submitted as part of the application. The outcome of the assessment was that there would be a moderate adverse impact on Air Quality and in order to mitigate this impact a number of measures have been suggested in order to reduce the impact of the use of vehicles on local air quality. These mitigation measures have been considered by RCT Public Health & Protection and are considered to be appropriate and achievable means by which to overcome the moderate adverse impact. The development includes, as noted earlier in this report, the provision of two electric car charging points and a

condition is recommended which requires the provision of these prior to the first beneficial use of the basement car park and their permanent retention (*condition 28*)

### Noise

The issue of noise is a material planning consideration relevant to the consideration of the proposed development and it is acknowledged that the scheme will be situated in relatively close proximity to several residential properties.

In respect of noise from construction activities, which it is considered is the aspect most likely to potentially give rise to noise complaints, the applicant/developer has confirmed that they will be making application for a prior consent for works under Section 61 of the Control of Pollution Act 1974. (The application should detail how noise is to be managed on-site. The underlying principle is that Best Practicable Means (BPM) should be adopted. Simply, this requires the person/s issued with the consent to minimise noise and vibration resulting from his operations and to do so through the appropriate selection of plant, construction methods and programming). Members will be updated at the Committee meeting in respect of progress with the Section 61 application and with such control it is recommended that a hours of working condition is not required in this case.

Public Health & Protection have carefully considered the noise assessment report submitted with the application. Whilst the report has determined the background noise levels in the vicinity of the development it recommends that further work is needed with regard to external plant noise and the building fabric. Accordingly, it is recommended that a condition (*condition 26*) be imposed requiring that full details of noise mitigation measures to be included within the construction of the development are agreed.

### Constructional Activity/Management

The site lies within a busy built up area of the town and consequently the constructional development of the site will not be without its challenges in terms of mitigating impacts on existing properties (residential and commercial), pedestrians and highway traffic (buses, cars, delivery vehicles etc).

It is recommended that constructional issues of access, impacts on existing network (access down to Gas Road car park), noise, dust, hours of operation, use of artificial lighting etc be covered under an appropriate condition requiring the submission and approval of a Construction Management Plan (CMP) (*condition 5*).

### **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

### Conclusions

This application represents a significant development and investment opportunity for the Principal town of Pontypridd. It is considered that the delivery of the redevelopment scheme proposed will not only safeguard and maximise the opportunities from existing investment, but will also act as a catalyst for future economic opportunities presented by the site and the town centre to be realised. The redevelopment of the former Taff Vale site is considered to be a key component of the regeneration of Pontypridd town centre. The delivery of this investment will provide a major boost to the town centre by developing a major site at a key gateway into the town, providing significant job opportunities for local people, new facilities and services, an increase in footfall with subsequent opportunities for increasing spend in the town centre economy. The successful delivery of the redevelopment should increase investor confidence in the Pontypridd area leading to further development opportunities resulting in a more vibrant and viable local economy.

As highlighted in PPW and TAN23: Economic Development it should not be assumed that economic objectives are necessarily in conflict with social and environmental objectives. Often these different dimensions point in the same direction. Planning should positively and imaginatively seek such 'win-win' outcomes, where development contributes to all dimensions of sustainability. It is considered that the proposed squarely falls within these stated WG aims.

The proposed parking provision of 70 (discounting the 2 charging point spaces) car parking spaces is driven by the commercial needs of the development. Whilst this is not in strict compliance with the SPG, development at this sustainable location should be focussed on enabling travel by sustainable modes with any additional parking demand being capable of easily being accommodated within the Council's public car parks

Other than The Victorian Society no objections have been raised by any statutory consultees and it is considered that with appropriate controls (achieved via suggested conditions) securing control over issues identified by the likes of NRW, Highways and PH&P to name but a few the development will incorporate itself well within the townscape of Pontypridd without detriment to existing interests.

The application is considered to comply with the relevant policies of the Council's LDP and national planning policy and is supported with a positive recommendation that planning permission be granted.

**RECOMMENDATION: Grant**

**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 within the following approved plans/drawings/documents:

- Site Location – Red Line Plan – 11431-DB3- SI-ZZ-DR-A-90-0013 rev B
- Proposed Site Plan – 11431-DB3-SI-ZZ-DR-A-90101 rev G
- Proposed Site Basement Layout – 11431-DB3-SI-B01-DR-A-90109 rev G
- Proposed Site First Floor Layout – 11431 – DB3-SI-01-DR-A-90111 rev F
- Proposed Site Second Floor Layout – 11431-DB3-SI-02-DR-A-90112 rev F
- Proposed Site Third Floor Layout – 11431-DB3-SI-04-DR-A-90113 rev E
- Proposed Site Fourth Floor Layout – 11431-DB3-SI-04-DR-A-90114 rev G
- Proposed Roof Plan – 11431-DB3-SI-RF-DR-A-90115 rev B
- Proposed Elevations – 11431-DB3-BA-ZZ-DR-A-20300 rev C
- Proposed Elevations – 11431-DB3-BB-ZZ-DR-A-20300 rev C
- Proposed Elevations – 11431-DB3-BC-ZZ-DR-A-20300 rev C
- Proposed Elevations – 11431-DB3-SI-ZZ-DR-A-90301 rev D
- Site Sections 1 – 11431-DB3-SI-ZZ-DR-A-90201 rev F
- Site Sections 2 – 11431-DB3-SI-ZZ-DR-A-90202 rev C
- Site Sections 3 – 11431-DB3-SI-ZZ-DR-A-90203 rev B
- Site Location Topographical Surveys – 11431-DB3-SI-ZZ-DR-A-90001 rev C
- Illustrative Landscape Masterplan – 1670101/P/GA/001 rev B
- Hard Landscape Plan – 1670101/P/GA/004 rev A
- Soft Landscape Plan – 1670101/P/GA/005 rev A
- Illustrative Elevation – 1670101/P/GA/006 rev A
- Palette Sheet – Raised Planters and Seating – 1670101/P/GA/007 rev A
- Palette Sheet – Surfacing and Street Furniture – 1670101/P/GA/008
- Palette Sheet – Trees and Hedge Planting – 1670101/P/GA/009
- Drainage Strategy – May 2017 Hydrock (ref: TVR-HYD-00-XX-RP-S-0001(C05366))

unless otherwise to be approved and superseded by details required by any

other condition attached to this consent.

Reason: In order to define the extent by the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.

3. No development shall commence, in respect of each of the buildings (A, B and C), until details of the finished ground floor level for that building/s has/have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place, including any works of site clearance/preparation until a Construction Method Statement/Management Plan has been submitted and approved in writing by the Local Planning Authority to provide for:

- the means of access into and egress from the site for all construction traffic;
- the timing of all HGV delivery and construction traffic to and from the site;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- loading and unloading of plant and materials;
- wheel washing facilities;
- the suppression of dust;
- the sheeting of lorries leaving the site;
- details of plant and equipment;
- methods and types of ground compaction;
- mitigation measures for the control of noise;
- mitigation measures to limit disturbance to any animal species on or adjacent to the site;
- location of site compounds;
- use of artificial lighting.

The approved Construction Method Statement/Management Plan shall be adhered to throughout the development process unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the safe and free flow of traffic and in order to ensure that the amenities of residents in proximity to the site are not unduly impacted upon in accordance with policies AW5 and AW10 of the Rhondda

Cynon Taf Local Development Plan.

5. Notwithstanding the submitted Proposed Site Plan (drawing ref: 11431-DB3-SI-ZZ-DR-A-90101 rev G) alterations to Taff Street including removal of bus bays, widening of footway and provision of the proposed commercial vehicle loading bay at Taff Street, the means of access to the basement parking area, together with details of refuse and recycling collection bay shall be laid out in accordance with details to 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 first beneficial occupation of the first building within the development.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Within 6 months of beneficial occupation of each building on the site a Travel Plan shall be submitted (for each building if the buildings are occupied independently of each other) to and be approved in writing by the Local Planning Authority. The Plan shall include
  - a) details of the building's Travel Plan Co-ordinator;
  - b) confirmation of targets for the reduction of road traffic and single occupancy car use, the promotion and delivery of more sustainable travel such as walking, cycling and use of public transport;
  - c) a management strategy for monitoring and delivering the objectives;
  - d) details of a Review Process and fallback position if stated targets within the Travel Plan have not been met;
  - e) financial penalties and fallback position if the targets set have not been achieved.

The Travel Plan(s) shall be implemented within one month following its/their approval and maintained and monitored thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage sustainable modes of travel and reduce single car occupancy in the interests of highway safety and the free flow of traffic, having regard to national planning policy and policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. No building within the development hereby approved shall be occupied until the drainage system for the site has been completed in accordance with the approved details, as identified in the Drainage Strategy (Hydrock – May 2017). Thereafter foul only flows shall connect to the 225mm public combined sewer in Crossbrook Street at manhole ref: ST07903305 and no

surface water and/or land drainage shall be allowed to connect directly or indirectly with 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.

8. Beneficial occupation of any building within the development hereby approved shall not take place until a grease trap has been fitted in accordance with details that have been first submitted to and been approved and approved in writing by, the Local Planning Authority. Thereafter the grease trap(s) shall be maintained so as to prevent grease entering the public sewerage system.

Reason: To protect the integrity of the public sewerage system and to ensure the free flow of sewage, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. The basement level car park entrance must be set at or above 56.44mAOD (metres Above Ordnance Datum).

Reason: To reduce the risk of flooding to the proposed car park, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. Prior to works commencing on site the existing flood wall defence standing along the eastern boundary of the site to the western bank of the River Taff shall be inspected by a qualified person to confirm its structural adequacy, particularly under extreme overtopping conditions (i.e. that flood with a probability of occurrence of 0.1%). Following the inspection a written report shall be submitted, highlighting the need for any remedial work and if found necessary and the timetable for undertaking and completing such work, for the written approval of the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed car park, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: There is an increased potential for pollution of controlled waters from inappropriately located infiltration systems such as soakaways,

unsealed porous pavement systems or infiltration basins, having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. No development shall commence on site, unless otherwise agreed in writing by the Local Planning Authority, until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:
- a desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The Desk-top Study should contain a Conceptual site model. A copy of the Desk-top Study shall be submitted to and approved by the Local Planning Authority without delay on completion.
  - Should the Desk-top study, as noted above, require a site investigation to be carried out it shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a Desk-top Study has been completed satisfying the requirements of paragraph a) above.
  - a written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. No building within development hereby permitted shall be occupied and/or operated until the measures approved in the scheme (referred to in condition 12) have been implemented. A suitable validation report of the proposed scheme is to be submitted and approved by the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. If during development works any contamination should be encountered which was not previously identified and is derived from a different source

and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted for the written approval of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. Prior to the commencement of development hereby permitted by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
1. A preliminary risk assessment which has identified:
    - \* all previous uses
    - \* potential contaminants associated with those uses
    - \* a conceptual model of the site indicating sources, pathways and receptors
    - \* potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: Natural Resources Wales considers that the controlled waters at this site are environmentally sensitive and contamination is suspected at the site due to historic use of the site, having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

16. Prior to the commencement of development hereby permitted, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-

term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

17. Prior to first beneficial occupation of any development on the site reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

18. If, during development construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the close proximity of previous contaminative land uses (gasworks) to the site boundary, it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

19. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written agreement of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: There is an increased potential for pollution of controlled waters

from inappropriate methods of piling, having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

20. Prior to commencement of development a scheme for any in river and river bank works is shall be submitted to and approved in writing by the Local Authority. The development shall proceed in strict accordance of the approved scheme to ensure that any polluted surface water does not enter the adjacent watercourse.

Reason: To protect the watercourse from pollution in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

21. Notwithstanding the detail shown on the approved landscaping plans
- Illustrative Landscape Masterplan – 1670101/P/GA/001 rev B
  - Hard Landscape Plan – 1670101/P/GA/004 rev A
  - Soft Landscape Plan – 1670101/P/GA/005 rev A
  - Illustrative Elevation – 1670101/P/GA/006 rev A
  - Palette Sheet – Raised Planters and Seating – 1670101/P/GA/007 rev A
  - Palette Sheet – Surfacing and Street Furniture – 1670101/P/GA/008
  - Palette Sheet – Trees and Hedge Planting – 1670101/P/GA/009

final full details of both hard and soft landscaping (and including timescales for the provision of the constituent elements) shall be submitted for the written agreement of the Local Planning Authority. The implemented scheme shall be in accordance with the agreed scheme, unless the Local Planning Authority gives its written consent to any variation

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

22. Any elements of soft landscaping/vegetation (to be agreed within the scheme required under condition 21 of this permission) within the development hereby agreed which within a period of 5 years from the date planted, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with other(s) of similar size and species unless the Local Planning Authority gives its written consent to any variation

Reason: To ensure that the new development makes the necessary and appropriate provision for public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

23. There shall be no beneficial occupation of any floorspace within development hereby approved, until a Management Strategy for the

maintenance of all areas of public realm has been submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall be implemented in accordance with the approved details.

Reason: To ensure that the new development makes the necessary and appropriate provision for areas of public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

24. Prior to their first beneficial use details of ventilation and extraction equipment together with intended proposals for the prevention of waste cooking oils, fats, grease and solid waste, such as food waste entering the foul drainage system for the Class A3 use (as defined under the Town and Country Planning (Use Classes) Order 1987 as applicable to Wales on the date of this planning permission) units within the development shall be submitted and agreed in writing by the Local Planning Authority. The detail shall be implemented in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of neighbouring amenity and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

25. Notwithstanding the details submitted as part of the application, no development shall be occupied until such time as details of all external lighting and measures that will be put in place to reduce impacts of light fall from the buildings and areas of public realm onto the adjacent River Taff SINC and the wider area have been submitted to, and approved in writing by, the Local Planning Authority. Any lighting installed shall be operated in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that residents and wildlife living in close proximity to the site are not unduly affected by the levels of light emanating from the proposed development. In accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

26. Full details of noise mitigation measures to be provided within the constructional fabric of each building (including roof plant) shall be submitted for the written agreement of the Local Planning Authority. The agreed details shall be implemented in full and thereafter retained as such, prior to the first beneficial occupation of the building/s to which those details relate, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

27. No development shall take place until a Wildlife and River Protection

Plan (WRPP) has been submitted and approved in writing by the Local Planning Authority. The plan shall include:

- a) An appropriate scale plan showing Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife and species could be harmed;
- d) Details of specific species and habitat mitigation measures for key species including bats, birds (including nesting provision), otters and fish;
- e) Details of riverside vegetation clearance;
- f) Details of wildlife sensitive lighting proposals for construction and operation;
- g) Details of water pollution control measures; and,
- h) invasive plant control;

Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation (Ecological Clerk of Works);
- iii) Installation of physical protection measures and management during construction;
- iv) Implementation of sensitive working practices during construction;
- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Specific species and Habitat Mitigation measures; and,
- vii) Provision of training and information about the importance of the 'Protection Zones' to all construction personnel on site.

Reason: In the interests of ecology and biodiversity and having regard to policy AW8 of the Rhondda Cynon Taf Local Development Plan.

28. Prior to the first beneficial use of the basement car park the two electric car charging points/spaces as shown on the approved plan 'Proposed Site Basement Layout' (11431-DB3-SI-B01-Dr-A-90109 rev 'G') shall have been installed and be fully operational and available for use. These charging points/spaces shall be permanently retained and be available for such use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the scheme does not have an adverse impact on air quality, having regard to policy AW10 of the Rhondda Cynon Taf Local Development Plan.

29. Prior to the commencement of each element (basement level, building A, building B and building C) of the development hereby approved full final details of the constituent external finishing materials shall be submitted to

the Local Planning Authority for their written approval and all materials used shall conform to the materials as so approved.

Reason: To ensure that the external appearance of the 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.

30. Sample panels of at least 2m x 2m square shall be constructed on site for the following:
- Buildings A and B – Light Buff Grey Facing Brickwork to be used (as confirmed by the details required under condition 29), including details of coursing, jointing and texture relief;
  - Building C – the proposed zinc tile cladding system (as confirmed by the details required under condition 29), including details of jointing and texture relief.

In addition for Buildings A and B samples of the coloured PPC vertical brise soleil and coloured elevational panels shall be provided to be viewed alongside the required sample brick panel.

Reason: To ensure that the external appearance of the 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.

**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**

**7 SEPTEMBER 2017**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATIONS RECOMMENDED  
FOR APPROVAL**

**OFFICER TO CONTACT**

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

**See Relevant Application File**

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