

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2014-2015**

**DEVELOPMENT CONTROL  
COMMITTEE**

**7 AUGUST 2014**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	<b>Agenda Item No.5</b>
<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. 14/0707 - Siting of Timpson retail pod to provide dry cleaning, key cutting, shoe and watch repairs and engraving services. Retail pod has a floor area of 18 square metres with portacabin style appearance (resiting of retail pod approved under planning ref: 14/0129/10) (Amended description 08/07/2014), Tesco Stores Ltd, Newpark District Shopping Centre, Talbot Green, Pontyclun.
2. Application No. 14/0708 - Advert Consent (to promote the brand and services of the proposed Timpson retail pod approved under planning ref: 14/0130/01)(Amended description 08/07/2014), Tesco Stores Ltd, Newpark District Shopping Centre, Talbot Green, Pontyclun.
3. Application No. 14/0730 - 2 storey extension to side elevation, move existing conservatory to rear elevation. New driveway and retaining wall to front elevation, 12 Mynydd Y Seren, Tonyrefail, Porth.
4. Application No. 14/0756 - Construction and operation of a small embedded Short Term Operating Reserve (STOR) natural gas-fired generating plant and auxiliary equipment - amendment to approved application 13/0277/10, site adjacent to C1 Trade Park, Aberaman Industrial Estate, Aberdare.

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## **APPLICATIONS RECOMMENDED FOR APPROVAL**

**APPLICATION NO:** 14/0707/10 (LE)  
**APPLICANT:** Tesco Stores Ltd  
**DEVELOPMENT:** Siting of Timpson retail pod to provide dry cleaning, key cutting, shoe and watch repairs and engraving services. Retail pod has a floor area of 18 square metres with portacabin style appearance (resiting of retail pod approved under planning ref: 14/0129/10) (Amended description 08/07/2014)

**LOCATION:** TESCO STORES LTD, NEWPARK DISTRICT SHOPPING CENTRE, TALBOT GREEN, PONTYCLUN, CF72 8RB

**DATE REGISTERED:** 06/06/2014  
**ELECTORAL DIVISION:** Talbot Green

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**RECOMMENDATION:** Approve

### **REASONS:**

The application represents a small scale retail use that is located within a principal retail centre. The siting of a retail pod at the site has already been granted (14/0129) and the proposed repositioning of the retail pod closer to the main access doors does not raise any adverse planning issues.

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### **APPLICATION DETAILS**

Full planning permission is sought for the provision of a 'retail pod' to the front of the Tesco Extra Superstore, Green Park, Talbot Green. The pod would be located approximately 12 metres to the east of the main store entrance upon an existing paved area under the front canopy of the Tesco building.

The development would provide a detached, portacabin style structure that would support a joint venture by Timpson Ltd and Tesco Stores Ltd to offer customers the convenience of providing Timpson's services within the Tesco grounds. Proposed services include dry cleaning, shoe repairs, key cutting, jewellery repairs, watch repairs and engraving (dry cleaning would not be undertaken within the kiosk, items to be cleaned would be dropped off and collected at the kiosk).

The pod would cover an area of approximately 18 square metres. It would be a flat roofed rectangular structure measuring 6.6 metres in length by 2.7 metres in width. The structure would have a height of 2.4 metres. The pod has a steel substructure with sealed, larch wood timber finish. The front elevation would consist of glazed sliding doors with a metal shutter concealed within the fascia surround for security

purposes. The elevations would also host various advertisements for which a separate advertisement application has been submitted (that follows this item on this agenda, ref no. 14/0708/01).

The siting of the retail pod would require the reconfiguration of an existing trolley bay and the subsequent loss of two parking spaces directly to the front of the existing Tesco building. Six vehicle bollards would be re-sited toward the front of the new building. The proposed opening hours are between 09:00 hours and 18:00 hours Monday to Saturday and 10:00 hours and 16:00 hours on a Sunday.

The planning application is accompanied by a Design and Access Statement.

Planning permission was recently granted for the siting of an identical retail pod at the site (ref no: 14/0129), which was approved under delegated powers on 26 March 2014. The applicants however propose to reposition the siting of the retail pod closer to the main entrance doors (approximately 44m to the west of the position previously approved) to offer a more favourable position to customers. It is detailed the previously approved scheme would not go ahead if the new application is permitted.

The planning application is presented to the Development Control Committee at the request of both the Local Member, Councillor Paul Baccara and Councillor Paul Griffiths.

## **SITE APPRAISAL**

The application site forms part of the established Tesco Extra site in Talbot Green. Tesco Extra is a large superstore, which occupies a substantial site, adjacent to the A4119. Immediately to the north of the existing main building is a large car parking area. Further to the north, accessed from a mini roundabout is a petrol station, kiosk and associated car wash facility. To the west, the Tesco site is bounded by a number of residential properties and a home for the elderly. The south of the site is further adjoined by commercial units. The Tesco site forms part of a principal retail centre as defined by the Local Development Plan.

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

14/0130	Tesco Extra, Green Park, Talbot Green, Pontyclun	Advertisement Consent to promote the brand and services of the retail pod	Granted 25/03/14
14/0129	Tesco Extra, Green Park, Talbot Green, Pontyclun	Construction of retail pod.	Granted 26/03/14

13/0047	Tesco Extra, Green Park, Talbot Green, Pontyclun	External signage to new 'click & collect' canopy located within the Tesco store car park.	Granted 28/02/13
13/0042	Tesco Extra, Green Park, Talbot Green, Pontyclun	Installation of a storage pod and canopy over the space formerly taken up by 8 parking spaces within the stores car park. Additional 8 parking spaces created elsewhere within store car park.	Granted 28/02/13
12/1277	Tesco Store, Green Park, Talbot Green, Pontyclun, Llantrisant	External signage to new 'click & collect' canopy located within the Tesco store car park.	Withdrawn 17/01/13
08/1625	Tesco Store, Green Park, Talbot Green, Pontyclun, Llantrisant	Erection of two 10.6m high micro wind turbine and associated works for a period of 15 years.	Refused 13/02/09
08/0673	Tesco Extra, Green Park, Talbot Green, Pontyclun	Construction of a lobby extension to act as a wind break to the main store and adjustment to associated street furniture.	Granted 12/06/08

## CONSULTATION

Transportation Section - raise no objection.

Countryside Landscape Ecology - advises no relevant SewBrec Records of Statutory Protected Species from immediate vicinity.

## PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. A further round of public consultation has been undertaken with the 'expanded description of development' at the top of this report. No letters of objection or representation being received.

## POLICY CONTEXT

## Rhondda Cynon Taf Local Development Plan

The application site is situated within the settlement boundary and within a defined retail centre.

**Policy CS2** - In the Southern Strategy Area the emphasis will be on sustainable growth that benefits Rhondda Cynon Taf as a whole.

**Policy AW2** – Supports development in sustainable locations.

**Policy AW5** - Provides criteria against which new development proposals will be assessed.

**Policy AW6** - Provides criteria against which design and place making considerations will be assessed.

**Policy SSA3** - Promotes residential and commercial development within the principal Town of Llantrisant/Talbot Green.

**Policy SSA16** - The Retail Hierarchy, identifies Llantrisant (including Talbot Green) as a Principal Town Centre.

**Policy SSA17** - Promotes new and improved retail development in the retail centres.

## National Guidance

Planning Policy Wales Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), and Chapter 10 (Planning for Retail and Town Centres), 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**

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

The planning application seeks permission for the siting of a 'retail pod' toward the front of an existing Tesco Superstore. The site is situated within the settlement boundary and within the identified, principal retail centre of Talbot Green. Both local and national planning policy promotes new and improved retail facilities within identified retail centres to reinforce and enhance the vitality and viability of such localities (it is also noted no restrictive conditions exist on the originally approved consent for the Tesco store to specifically limit its expansion or range of goods on sale ).

Furthermore, planning permission has recently been granted for the provision of such a retail pod at the site, approximately 44 metres away from the siting now proposed; the applicant highlighting their preferred position is closer to the entrance doors to the main Tesco building to better serve customer needs. The proposal under consideration effectively represents a proposal to re-site an approved scheme at the site and the principle of the scheme has therefore already been established through this consent.

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

In terms of visual impact the proposed retail pod represents a small scale addition that has a single storey design and modest scale. When viewed in association with the existing retail store it would relate it would not appear as an overly obtrusive or prominent feature. Furthermore, a number of other detached 'pods and portacabins', including a larger 'click and collect' building are already sited toward the front and alongside the large superstore building. There is also some significant landscaping along the boundary with the A4119, which would help screen views of the structure from outside the site.

Overall, it is not considered the development would have any adverse impact on the existing character and appearance of the locality.

### **Impact of the development on the amenity and privacy of neighbouring properties**

With regard to the impact on surrounding residential amenity, it is not considered a proposal of the nature, scale and siting proposed would present any adverse issues in this regard. The siting of the pod directly to the front of the main building also means the existing, projecting main entrance to the store would screen the development from the nearest residential properties situated along the western boundaries of the site. The small scale building and its associated use should also have limited impact on the existing levels of activity associated with the Tesco store; the aim of the retail pod being the provision of further services to those people already accessing the site.

In addition, no residents have raised any objections against the proposal following the neighbour consultation process.

### **Highway Safety**

Following consultation with the Transportation Section, no objections to the scheme have been raised. It is highlighted two existing car parking spaces would be lost as a result of the proposal given a trolley stand would be re-positioned to accommodate the new building. The loss of such spaces is of concern to the Transportation Section, however, given that there are 615 car spaces and 34 disabled spaces available for use within the Tesco site and the majority of trips to the retail pod would be linked to existing shopping trips to the wider site, no highway objection is raised.

The proposal is therefore considered acceptable in terms of its likely impact on highway safety.

### **Other Issues**

Following consultation with the Council's Ecologist no adverse comments have been raised against the scheme. The proposed building would also be sited on an existing hard paved area under the large canopy to the front of the main Tesco store with the site not being situated within an identified flood risk area. Such a small scale proposal would therefore have no adverse drainage implications.

### **Conclusion**

The application is considered to comply with the relevant policies of Local and National Planning Policy. An extant consent, for the siting of such a retail pod exists at the site with the proposal effectively representing a scheme to alter the previously approved siting of such a structure. No highway objections have been raised against the scheme and approval of the planning application is recommended.

### **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 retail pod hereby permitted shall not be open to customers except between the hours of:

- 09:00 hours and 18:00 hours Monday to Saturday, and
- 10:00 hours and 16:00 hours on Sundays and Bank Holidays.

Reason: To minimise the effects of the development upon neighbouring residential amenity in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

3. The 'retail pod' hereby permitted shall not be constructed or if construction has commenced all works shall be removed if the 'retail pod' permitted under reference 14/0129 is or has been constructed.

Reason: To clearly define the scope of the permission and in the interests of visual amenity in accordance with policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

4. The development hereby permitted shall cease on the commencement of



the development approved under planning ref. no 14/0129/10 (for the erection of a retail pod) and the building shall be demolished and all resulting materials removed from the site within 28 days.

Reason: To clearly define the scope of the permission 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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<b>APPLICATION NO:</b>	<b>14/0708/01</b>	<b>(LE)</b>
<b>APPLICANT:</b>	<b>Tesco Stores Ltd</b>	
<b>DEVELOPMENT:</b>	Advert Consent (to promote the brand and services of the proposed Timpson retail pod approved under planning ref: 14/0130/01)(Amended description 08/07/2014)	
<b>LOCATION:</b>	<b>TESCO STORES LTD, NEWPARK DISTRICT SHOPPING CENTRE, TALBOT GREEN, PONTYCLUN, CF72 8RB</b>	
<b>DATE REGISTERED:</b>	<b>06/06/2014</b>	
<b>ELECTORAL DIVISION:</b>	<b>Talbot Green</b>	

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**RECOMMENDATION: Approve**

**REASONS:**

**The proposal constitutes a very similar scheme to that approved under ref no. 14/0130 (but with less signage) and is acceptable in terms of its impact upon the visual amenity of the area and public safety.**

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**APPLICATION DETAILS**

Advertisement consent is sought for external signage to a 'Timpsons Retail Pod' that is being proposed toward the front of the existing Tesco Extra superstore, Talbot Green. A separate planning application has been submitted for the siting of the retail pod (ref no: 14/0707) which precedes this item on this agenda.

In detail, the advertisement scheme seeks consent for the following:

- The erection of a fascia style advertisement around the sides and front elevation of the proposed building. Each fascia would carry the 'Timpson' company name with white lettering and burgundy background. The signs would each have a 0.35 metre height. The larger sign would have a 6.66 metres length with the smaller signs having a 2.7 metres length. Each fascia sign would be internally illuminated.

- Two, poster style, aluminium panel signs positioned either side of the glass entrance door into the building. The signs would measure 0.8 metres by 1.35 metres. Each sign would have details of the hours of opening and services offered, with burgundy finish and white lettering.
- Two aluminium panel signs to the side elevations of the building. Each sign would measure 1.6 metres by 2.0 metres with a white (semi-gloss) finish and full colour digital print advertising the dry cleaning services, key cutting, shoe repair and other services being offered.
- The provision of small vinyl window signs to the glass entrance doors to the building.

Advertisement consent was previously approved for a similar scheme to provide a retail pod at the site (14/0130) which contained more signage than the current scheme. Given the applicants intend to re-site the position of the retail pod this further advertisement application has been submitted for consideration.

The application is reported to Development Control Committee at the request of both the Local Member, Councillor Paul Baccara and Councillor Paul Griffiths.

## **SITE APPRAISAL**

The application site forms part of the established Tesco Extra site in Talbot Green. Tesco Extra is a large supermarket, which occupies a substantial site, adjacent to the A4119. To the south of the site is the store and a large car park area. To the north accessed from a mini roundabout is a petrol station, kiosk and associated car wash facility. To the west, the Tesco site is adjacent to a number of residential properties and home for the elderly, however the petrol station, to the north of the site, is located within a largely commercial area. The south of the site is further adjoined by commercial units. The Tesco supermarket and surrounding commercial buildings benefit from various advertisement schemes.

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

14/0130	Tesco Extra, Green Park, Talbot Green, Pontyclun	Advertisement Consent to promote the brand and services of the retail pod	Granted 25/03/14
14/0129	Tesco Extra, Green Park, Talbot Green, Pontyclun	Construction of retail pod.	Granted 26/03/14
13/0047	Tesco Extra, Green Park, Talbot Green, Pontyclun	External signage to new 'click & collect' canopy located within the Tesco store car park.	Granted 28/02/13

13/0042	Tesco Extra, Green Park, Talbot Green, Pontyclun	Installation of a storage pod and canopy over the space formerly taken up by 8 parking spaces within the stores car park. Additional 8 parking spaces created elsewhere within store car park.	Granted 28/02/13
12/1277	Tesco Store, Green Park, Talbot Green, Pontyclun, Llantrisant	External signage to new 'click & collect' canopy located within the Tesco store car park.	Withdrawn 17/01/13
08/1625	Tesco Store, Green Park, Talbot Green, Pontyclun, Llantrisant	Erection of two 10.6m high micro wind turbine and associated works for a period of 15 years.	Refused 13/02/09
08/0673	Tesco Extra, Green Park, Talbot Green, Pontyclun	Construction of a lobby extension to act as a wind break to the main store and adjustment to associated street furniture.	Granted 12/06/08

## **PUBLICITY**

The application was advertised by direct neighbour notification and site notice. No representations have been received.

## **CONSULTATION**

Transportation Section: No objections raised.

## **POLICY CONTEXT**

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

Indicates that the site is within settlement limits and within the boundary of a defined retail centre.

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

**Policy AW6** - sets out the criteria for new development, and for new and replacement signage, they should make a positive contribution to the street scene.

## **National Guidance**

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

Other relevant policy guidance consulted Planning Policy Wales Technical Advice Note 7: Outdoor Advertisement Control.

## **REASONS FOR REACHING THE RECOMMENDATION**

Part 1 4. (1) of the Town and Country Planning (Control of Advertisements) Regulations 1992 requires that in considering applications for the display of advertisements, Local Planning Authorities shall exercise their powers only in the interests of amenity and public safety.

Therefore, in considering and determining applications of this nature, the primary considerations are the effect on the visual amenity of the area, taking account of any historic, architectural or cultural features and on public safety including, the safety of any person travelling by road, rail, on any waterway, or by air.

## **Main Issues**

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

The application seeks consent for a number of advertisements to be erected to a proposed retail pod within the grounds of an existing Tesco superstore. The general scale, design and siting of the signs are considered visually acceptable and appropriate for the retail pod they would relate. Whilst a number of signs are proposed, when viewed in conjunction with the significantly larger signage present at the Tesco store and the surrounding commercial area, the proposed signs would not appear excessive or overly prominent. The site also benefits from some screening particularly along the boundary with the A4119. A recommended condition, should Members be minded to approve the application, would also ensure the proposed illuminated signs are not in use when the retail pod is closed and thereby ensure they remain sensitive to levels of visual amenity currently enjoyed in the area.

Overall, it is therefore considered the new signs would not detract from the visual amenity of the area.

### **Public safety**

With regard to the potential impact on public and highway safety, given the nature and siting of the signs, it is not considered the scheme creates a hazard or would endanger people within the vicinity of the signs. The Transportation Section have also raised no objection against the application. It is therefore considered the signage does not prejudice public or highway safety.

## CONCLUSION

In conclusion, the signage scheme is considered acceptable and would have no undue harm on visual amenity or public safety. As such, the application is recommended for approval.

### **RECOMMENDATION: Grant subject to the following standard advertisement conditions.**

1. This consent shall expire five years from the date of this Notice.

Reason: Standard condition under the provisions of the Advertisement Regulations.

2. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: Standard condition under the provisions of the Advertisement Regulations.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: Standard condition under the provisions of the Advertisement Regulations.

4. Where an advertisement is required under the above mentioned Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: Standard condition under the provisions of the Advertisement Regulations.

5. No advert is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: Standard condition under the provisions of the Advertisement Regulations.

6. Notwithstanding the submitted details, the illuminated advertisements hereby permitted shall only be illuminated in conjunction with the permitted hours of operation of the retail pod and therefore shall not be illuminated when the building is not open to the public.

Reason: To minimise the effects of the development upon visual amenity in accordance with policy AW6 of the Rhondda Cynon Taf Local Development

Plan.

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**APPLICATION NO:** 14/0730/10 (KL)  
**APPLICANT:** Mr C Bowtell  
**DEVELOPMENT:** 2 storey extension to side elevation, move existing conservatory to rear elevation. New driveway and retaining wall to front elevation.  
**LOCATION:** 12 MYNYDD Y SEREN, TONYREFAIL, PORTH, CF39 8ET  
**DATE REGISTERED:** 12/06/2014  
**ELECTORAL DIVISION:** Tonyrefail West

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**RECOMMENDATION:** Approve

**REASONS:**

**The application is considered to be acceptable 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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**APPLICATION DETAILS**

Full planning permission is sought for the construction of a two storey extension to the side of 12 Mynydd y Seren, Tonyrefail. An existing conservatory to the side of the property would be moved to the rear elevation along with an additional parking space and new retaining wall being installed within the front amenity space.

The proposed extension would be sited on the north-eastern facing side elevation of the property and would measure 4.4 metres in width by 9.1 metres in depth. It would have a pitched roof design to be tied in with the existing roof slope, measuring a maximum 8.2 metres in height from ground level, sloping to 5.5 metres at its eaves. It would accommodate a new living room at ground floor with two dressing rooms and a laundry room at first floor. There would be an additional dressing room within the roof space of the extension which would serve an existing attic room within the main house. All materials proposed would match the original dwelling.

The existing conservatory to the side of the property would be removed and rebuilt on the north-western facing rear elevation. It would measure 5.5 metres in width by 4.3 metres in depth and would have a hipped roof design measuring a maximum of 3.3 metres in height. It would have a low-level facing-brick base with a white uPVC glazed structure above.

The proposed retaining wall would be sited adjacent to the south-eastern facing front elevation and would form a pedestrian walkway to the side access into the rear garden. It would measure a total of 8.9 metres in length, varying in height from between 0.5 metres to 2 metres due to the sloping level of the land immediately adjacent. The existing landscaping area adjacent to the existing driveway would be removed and replaced with an additional driveway to be constructed from permeable paving.

The application is reported the Development Control Committee due to the applicant being a member of staff within the Development Control (Building Control) Service.

## **SITE APPRAISAL**

The application site is a two-storey, semi-detached property located within a modern residential estate in Tonyrefail. It faces a south-eastern direction with the road at Mynydd y Seren running along its north-eastern facing side elevation. The property is accessed via a private driveway off Mynydd y Seren with two off-road parking spaces to the front of the property. The enclosed garden to the rear and side of the property slopes upwards toward no. 11 Mynydd y Seren to the north of the site. There is an existing conservatory to the north-eastern facing side elevation of the property which is to be removed and rebuilt to the rear. Neighbouring properties are a mixture of semi-detached and detached properties with a number of different house types visible within the wider residential development.

## **PLANNING HISTORY**

05/0086	12 Mynydd y Seren, Tonyrefail	Proposed conservatory	Granted 09/03/05
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## **PUBLICITY**

The application has been advertised by means of direct neighbour notification. No letters of objection or representation have been received.

## **CONSULTATION**

Structural Engineer – no objection subject to the extension foundations being taken down to a level where they will not impose a load on the wall.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Tonyrefail (West) 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 extension of an existing residential property and the principle of development is therefore acceptable subject to the criteria set out below.

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

Whilst the extension would form a visible addition to the street scene, it would tie in effectively with the scale and design of the original property. It would not exceed the height of the original roof with all materials proposed to match the original property. It is acknowledged that the new addition would form an imbalance between the semi-detached pair however, due to the properties fronting a private driveway off the main carriageway at Mynydd y Seren, this imbalance is not considered to have such a significant impact as to warrant the refusal of the application. Neighbouring properties within the wider area vary in both scale and design and the proposal is



therefore not considered to be at complete odds with the wider street scene. Consequently, the proposed extension is not considered to have a detrimental impact on the character and appearance of the existing dwelling or wider area.

The existing conservatory would be removed from the side elevation of the existing property and rebuilt at the rear of the new extension. As such, it would form a minor alteration to the existing arrangement and it is therefore not considered to have a significant impact on the overall visual appearance of the dwelling.

The retaining wall to the front of the property would be of a sympathetic scale and design, reaching a comparable level at its highest point to form a new pedestrian access to the rear/side garden. It would be constructed using appropriate materials to match the overall dwelling and it is therefore not considered to have a significant impact on the character and appearance of the existing dwelling. Whilst it would be preferred that the existing landscaping area to the front of the property be retained, the proposal to replace it with an additional parking space is not considered to have such a significant impact on the overall visual appearance of the existing dwelling or wider area as to warrant the refusal of the application.

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

The proposed extension would form a large addition to the property, however, it would be sited at a lower ground level to the nearest neighbouring property to the north (no. 11). It is therefore not considered that the proposal would have a significant overbearing or overshadowing impact on this property. It is acknowledged that there are two windows proposed within the side elevation and that there is potential for some overlooking to occur on the front elevations of no's 1 & 2 however, due to these windows serving a dressing room and laundry room, it is not anticipated that there would be such a significant increase in the level of overlooking as to warrant the refusal of the application.

As mentioned previously, the application site is at a lower ground level to the nearest neighbouring property to the north. As such, it is not considered that the proposal to move the conservatory to the rear elevation would have a detrimental impact on the residential amenity and privacy currently enjoyed by the occupiers of that property.

The proposed retaining wall and driveway would be sited directly to the front of the applicant's property and it is therefore not considered that this aspect of the proposal would be detrimental to the residential amenity and privacy of surrounding properties.

### **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 external materials of the proposed works shall match as near as possible the materials of the original dwelling house.

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.

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<b>APPLICATION NO:</b>	<b>14/0756/10 (HL)</b>
<b>APPLICANT:</b>	<b>Welsh Power Group Limited</b>
<b>DEVELOPMENT:</b>	Construction and operation of a small embedded Short Term Operating Reserve (STOR) natural gas-fired generating plant and auxiliary equipment - amendment to approved application 13/0277/10
<b>LOCATION:</b>	<b>SITE ADJACENT TO C1 TRADE PARK, ABERAMAN INDUSTRIAL ESTATE, ABERDARE</b>
<b>DATE REGISTERED:</b>	<b>05/06/2014</b>
<b>ELECTORAL DIVISION:</b>	<b>Aberaman South</b>

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**RECOMMENDATION: Grant**

**REASON:**

The proposed development is located within an established industrial estate within the settlement boundary. The proposed development will ensure continuity of electricity supply in the locality during periods of high demand. The plans and supporting documents indicate that a development could be provided that would not have a significantly detrimental impact on the character of the area, the amenity of those living closest to the site, or the highway safety of the area. The application is considered compliant with the relevant policies of the Local Development Plan and national guidance.

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**APPLICATION DETAILS**

Full planning permission is sought for the installation of a Short Term Operational Reserve (STOR) Power Plant on land at Aberaman Park Industrial Estate, Aberaman, at the northern end of the former Stropak unit.

The purpose of the site would be to generate and supply reserve power to National Grid at short notice during periods of peak demand or when generation from renewable sources, typically, wind turbines and solar arrays fail to generate as expected.

Members will recall that a similar development was approved on the same site by the Council's former Development Control Committee on the 20th June 2013 (application 13/0277/10 refers). Following the determination of the application, several design alterations to the scheme were requested. It was considered that the number of alterations proposed could not be considered as a minor amendment to the scheme and a new full planning application was required.

The unit proposed would accommodate eight, gas fuelled, engine-driven electricity generating sets and associated plant with the potential to generate 16,000kW. Each engine-generator set would sit within its own sound proof containment cell, side by side within the main building.

Whilst available to National Grid 24 hours a day, generally the plant would operate for short periods during peak load hours, with long periods between operations. On average the plant would operate for approximately 300 hours per year. The plant would be controlled remotely and would be unmanned apart from a travelling maintenance crew who would attend at regular intervals throughout the year.

The proposed building would be of steel portal frame construction measuring 19.2m wide, 48.6m long with a pitched roof with a maximum height of 9m falling to 7m at eaves level. 4 exhaust flues would protrude from the roof with a maximum height of 12m above ground level. Externally the building would be finished with grey, plastic coated metal profile sheets with stainless steel exhaust flues. The elevations would contain a number of openings, the most notable being eight projecting, louvered, ground floor vents in the southern elevation each measuring 3.5m wide and 3.5m high and 1.4m deep and eight high level, flush fitted, louvered vents each measuring 3m wide and 1.5m high, positioned 5.2m above ground level in the northern elevation.

A 2.4m high steel mesh fence with three stranded electric wire top would enclose the perimeter of the site. An 11m wide, 43.5m long landscaped bund with a maximum height 2.5m would be created within the site adjacent to the western boundary, to provide some screening from the B4275 to the west. The existing landscaped area in the northern section of the site would be retained and left to colonise naturally.

Two groups of radiator coolers, each containing four units would be provided to the north of the building. Each cooler unit would measure 2.5m wide 8m long with a maximum height of 1.8m. A 3.5m high acoustic barrier would be provided to the west

of the units and between coolers four and five. A transformer would adjoin the eastern elevation of the building and would be enclosed via a 1.8m high fence. A gas reception kiosk measuring 2m wide, 6m long would be positioned adjacent to the eastern boundary of the site.

A point of access would be provided in the south-eastern corner of the site leading to a new driveway adjacent to the southern elevation and turning head to the west of the building.

In comparison to the previously approved scheme the development now proposed would:

- Have a building 1.9m narrower, 2.8m shorter and 0.75m and 0.85m lower to ridge and eaves height respectively than that previously approved;
- Contain two less gas engines and associated plant;
- Have a reconfigured and positioned radiator cooling system
- One less exhaust chimney;
- A reconfigured access, driveway and on site turning facility;
- Repositioned transformer and gas reception kiosk; and
- Numerous openings and projections on all elevations of the building.

The application is accompanied by the following:

- Design and Access Statement;
- Planning Support Statement;
- Acoustic report; and
- Marketing statement.

## **SITE APPRAISAL**

The application site comprises a 0.5ha area of land, located within an existing industrial estate near the settlement of Aberaman. The industrial estate as a whole is located within the Cynon Valley River Park and the settlement development limits as defined by the Rhondda Cynon Taf Local Development Plan. Access to the estate is provided via an existing feeder road for the southern section of Aberaman Park Industrial Estate, with the site specifically accessed via one of the estate distributor roads.

The wider estate contains a number of different size and styles of industrial premises including larger single use buildings and the smaller “starter” type units. There is an existing similar power generation plant located approximately 30m to the east of the site. The closest residential properties are located along Farm Road, Aberaman, approximately 150m to the west.

The application site is set at the same level as the industrial buildings and plots to the north, south and east. At the time of inspection the site was vacant, covered in

scrub vegetation with the perimeter defined by 1.8m high chain link fence with barb wire above and semi mature shrubs and trees.

## PLANNING HISTORY

Previous relevant planning applications that have been made on the site and its surroundings are as follows:

13/0277	Aberaman Park Industrial Estate, Aberaman, Aberdare	Construction and operation of a small embedded Short Term Operating Reserve (STOR) natural gas-fired generating plant and auxiliary equipment	Conditions 06/08/13
08/0343	Former Styropack Ltd., (Aberdare), Aberaman Park Industrial Estate, Aberdare	Conversion of existing factory into eight industrial units with trade counters between 280 - 1,480 sq. m, including toilet, office and new overhead roller-shutter door and personnel door on the front elevation.	Conditions 30/06/08
97/4430	Mimo Ltd, Aberaman Park Industrial Estate	Proposed extension to existing factory	Conditions 12/02/98
96/4137	Mimo Ltd, Aberaman Park Industrial Estate	Extension of existing factory	Conditions 05/09/96
96/4029	Mimo Ltd, Aberaman Park Industrial Estate	Extension of office accommodation and staff facilities	Conditions 17/10/96
94/455	Mimo Ltd, Aberaman Park Industrial Estate	Factory extension	Conditions 14/12/94
89/56	Plot C1, Aberaman Park Industrial Estate	Factory and offices	Conditions 19/04/89

## **PUBLICITY**

The application has been advertised by direct neighbour notification letters and the erection of site notices. No objections or representations have been received.

## **CONSULTATION**

Transportation section – no objections subject to conditions.

Public Health and Protection Section - no objections.

Land Reclamation and Engineering – no objections subject to conditions.

Natural Resources Wales – no response received.

Countryside, Landscape and Ecology – no SewBrec records of statutory protected species have been found in the immediate vicinity.

South Wales Fire and Rescue – no objections subject to conditions.

Dwr Cymru/Welsh Water – no objections subject to conditions.

Wales and West Utilities - no objections.

## **POLICY CONTEXT**

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

The site is within an established industrial estate within the settlement boundary of the Aberaman South as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

**Policy CS1** - emphasises building strong sustainable communities, achieved by ensuring the removal and remediation of dereliction by promoting the re-use of under used and previously developed land and buildings.

**Policy AW2** - promotes development in sustainable locations, including those inside settlement boundaries (1), those not in conflict with neighbouring uses (2), and those that have good accessibility (3).

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

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

**Policy AW10** - seeks to ensure that development proposals will not be permitted where they would result in a risk of unacceptable hard to reach or local amenity.

**Policy AW11** - states that development proposals promoting alternative uses for existing employment sites will be permitted where the retention of sites for

employment purposes has been fully explored without success by way of marketing for appropriate employment purposes for a minimum of 12 months. Identifies that proposals may also be permitted where the proposed use is a sui generis use, which exhibits the characteristics of B1, B2 and B8 uses which could appropriately be accommodated on an employment site.

**Policy AW12** – outlines the criteria for renewable and non-renewable energy sites in order to protect soil conservation, agriculture, nature conservation, wildlife, natural and cultural heritage, landscape importance, public health and residential amenity. Development proposals should also be designed to minimise resource use during construction, operation and maintenance.

**Policy NSA15** – proposals for the development of small industrial sites for alternative uses will be assessed in accordance with Policy AW11.

**Policy NSA26** – specifies that developments that will contribute to the achievement of the Cynon Valley River Park Strategy will be supported.

### **National Guidance**

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

Planning Policy Wales (Edition 6 Feb 2014) Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), and Chapter 7 (Economic Development) 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;

### **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.

Therefore, in considering and determining applications of this nature, the primary considerations are the acceptability of the proposal within the industrial estate, impact on the residential amenity of those living closest to the site, impact on the character and visual amenity of the area and highway safety implications

## **Main Issues:**

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

As specified above, the Authority has recently granted planning permission for a very similar development on this site in August 2013 (application 13/0277/10 refers) as such the principle of developing the site for the purpose proposed has been established as acceptable.

Notwithstanding the above, in terms of the acceptability of the proposal within the established industrial park as a sui generis use, it is considered that the proposed development is similar to a B2 use, as there is machinery and infrastructure on site as well as industrial process taking place. Although the development would make use of the land for a sui generis use with a low employment level, a marketing report has been submitted confirming that the site has been marketed since June 2008 for employment purposes and that there has not been any interest in the land for employment uses in the last 12 months.

In light of the above the proposal is considered compliant with the requirements of Policy AW11 of the Rhondda Cynon Taf Local Development Plan with reference to sui generis uses on employment land.

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

In terms of the effect on the visual amenity of the area it is considered that the proposal would represent the creation of a substantial new facility on a vacant industrial site. However, it is considered that the nature of the operation and the buildings and layout being erected are of a scale, character and appearance that is appropriate and in keeping with the character of the industrial area. The materials proposed as detailed in full in the Design and Access statement, of grey coloured profile sheeting and steel mesh fencing are considered acceptable and in keeping with the industrial character of the site. Although the fencing proposed is high, it is considered that this would not have a detrimental impact on the character of the area and is considered necessary to ensure the safety of the site.

A landscaped earth bank is proposed along the western boundary of the site, to provide a screen between the site and the B4275. The existing landscaping to the northern area of the site would also be maintained to provide a buffer between the development and the adjacent industrial unit.

In light of the above, it is considered that the proposal would not have a detrimental effect on the visual amenity of the surrounding area and is compliant with the requirements of Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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



With respect to the impact on neighbouring properties, the proposal is located within an existing industrial estate and on an existing, albeit vacant, industrial site within that area. The site is well screened and some distance (approximately 150m) from the closest residential properties.

An acoustic report submitted in support of the application specifies that operating all eight engines simultaneously should generate a noise level no higher than 5dB above the quietest existing background noise levels at the closest properties in Farm Road. Such a level falls within the acceptable parameters set out by the Authority's Public Health and Protection Department for the operation of plant and machinery of this nature. Following consultation the Authority's Public Health and Protection Service have raised no objection to the application.

In light of the above it is considered that the proposal would not have a detrimental impact on the amenities of existing residential or commercial/industrial properties in the area and is acceptable in this respect, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

#### **Access and highway safety**

The site would be accessed via the existing county highway and internal feeder roads within the estate. The plans submitted indicate the provision of a new point of access in the south-eastern corner of the plot leading from the estate's internal feeder road to a new driveway and turning facility that would allow all vehicles to enter and leave the site in a forward gear. Being mindful that the plant would be predominantly unmanned, it is considered that the development would not generate an increased number of traffic movements to and from the site. Following consultation the Authority's Transportation Section have raised no objection to the application. The application is therefore considered compliant with the relevant requirements of Policy AW5 of Rhondda Cynon Taf Local Development Plan.

#### **Conclusion**

In conclusion, whilst the principle of development has already been established as acceptable by the approval of planning application 13/027710, it is considered that the development proposed would be in keeping with the overall character and appearance of the area, would not have a significantly detrimental impact on the residential amenity of those living closest to the site and would not have a detrimental impact on the highway safety and free flow of traffic within the area. The application is considered to comply with the relevant national and local development plan policies and is consistent with government guidance on low carbon energy production developments. The application is therefore recommended for approval subject to the following conditions.

#### **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. 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.

3. No building shall be brought into 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.

4. If during development works any contamination is encountered which was not previously identified then work shall cease and contamination proposals including a remediation strategy shall be submitted to the Local Planning Authority. The development shall not re-commence until the proposals have been agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the environment due to the potential for unidentified contamination to be present at the site in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the details shown on the submitted plans, development shall not commence until details of the means of access to include permanent surfacing materials and vehicular footway crossing have been submitted to and approved in writing by the Local Planning Authority. The

access, turning and parking facilities shall be carried out in accordance with the approved details prior to beneficial use.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding.

8. Prior to the commencement of development, facilities for wheel washing shall be provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Wheel washing shall be in operation during the duration of the development period.

Reason: To prevent debris and mud from being deposited onto the public highway, in the interests of highway safety.

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

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

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

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

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**LOCAL GOVERNMENT ACT 1972**

**as amended by**

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

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LIST OF BACKGROUND PAPERS**

**DEVELOPMENT CONTROL COMMITTEE**

**7 AUGUST 2014**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATIONS RECOMMENDED  
FOR APPROVAL**

**OFFICER TO CONTACT**

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

**See Relevant Application File**