

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

**DEVELOPMENT CONTROL
COMMITTEE
6 NOVEMBER 2014**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 6
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

1. Application No. 14/0289 - Residential development of four new dwellings, land off Park Place, Cilfynydd, Pontypridd.
2. Application No. 14/0970 - Retrospective permission for the installation of new external air condensing units at the rear of the premises, the installation of an ATM to the front elevation, and the installation of a new side door access, 25-28 Lewis Street, Aberaman, Aberdare.
3. Application No. 14/1145 - Retrospective consent for domestic garage, land opposite 16-17 Arfryn Terrace, Tylorstown.
4. Application No. 14/1189 - Installation of supply air and extract grilles and flues to rear elevation of unit and installation of condenser units to rear elevation wall, Chiquito Units 11b/C Talbot Green Retail Park, Talbot Green, Pontyclun.

This page intentionally blank

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 14/0289/10 (EL)
APPLICANT: V Griffiths & Sons Ltd
DEVELOPMENT: Residential development of four new dwellings.
LOCATION: LAND OFF PARK PLACE, CILFYNYDD,
PONTYPRIDD, CF37 4NW.
DATE REGISTERED: 16/09/2014
ELECTORAL DIVISION: Cilfynydd

RECOMMENDATION: Approve subject to conditions

REASONS:

The proposal is in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the development of the site for residential purposes is compatible with the area and the design of the properties is acceptable in terms of scale and appearance. The impacts on residential amenity, highway safety and flood risk is also considered acceptable.

APPLICATION DETAILS

Full planning permission is sought for the development of 4 no. dwellings with associated access and parking areas on a parcel of land located off Park Place, Cilfynydd.

Plots 1-3 would be three/four bedroom dwellings (with the fourth bedroom being illustrated as a study). These units would each measure 7.4 metres in depth and 9.1 metres in width, with a ridge roof construction measuring 7.8 metres to their highest point, sloping to 5.0 metres at their eaves.

Plot 4 would be a four bedroom dwelling, measuring 7.4 metres in depth and 12.0 metres in width. This unit would have a ridge roof construction measuring 7.8 metres to its highest point, sloping to 5.0 metres at its eaves.

The dwellings would be finished in a combination of pennant stone rubble walling at ground floor level, with render above and small larch cladding panels. They would have slate tiled roofs.

The proposed dwellings would be served off a newly created access road that connects with Park Place to the west. The highway design and layout also includes the provision of a turning head at the site access, which would be available for use by existing residents of Park Place, in addition to the future occupiers of the proposed dwellings. The proposed dwellings would be arranged in a linear form, along the length of the site, with their front elevations facing north. Parking would be provided to the side/ front of each unit, with a private garden area located to the rear.

SITE APPRAISAL

The application site is an irregular shaped parcel of land, measuring approximately 1360m² located at the eastern end of Park Place, Cilfynydd. The site is currently a vacant parcel of land, covered by low level vegetation, the topography of the site is relatively level. To the north, the site is bounded by Park Place and a pedestrian access that connects with the Rugby Club to the far east. To the west the site is bounded by a Scout's Hall. The southern boundary of the site is defined by a retaining wall that forms the boundary with the adjacent builders yard. To the east (outside of the application site) is an area of woodland, which is protected by a Tree Preservation Order. There is a mix of both residential and commercial uses located in the vicinity of the site. In addition to a terrace row of dwellings, Park Place serves commercial garages and a cafe.

PLANNING HISTORY

06/0573	Land off Park Place, Cilfynydd, Pontypridd	Residential development (Outline)	Granted with conditions 22/09/06
00/2413	Land at end of Park Place, Cilfynydd, Pontypridd.	Proposed civil engineering plant depot	Refused 11/08/00
98/2061	Land at end of Park Place, Cilfynydd, Pontypridd.	Erection of building for carrying out bodywork repairs to cars and light vehicles	Granted with conditions 15/05/98
86/1373	Land at end of Park Place, Cilfynydd, Pontypridd.	Proposed connection of overhead power lines between two existing power lines "replacement of pylon with "H" section Pole	Granted 23/12/86
86/0932	Land at end of Park Place, Cilfynydd, Pontypridd.	Erection of overhead connection between overhead power lines – replacement of pylon with "H" section pole	Refused 08/09/86

PUBLICITY

The application was advertised by direct neighbour notification and site notices. Three letters of representation and a petition signed by 9 individuals has been received, which are summarised as follows:

- Concern is expressed with regard to the additional traffic that will be generated by the development.
- It is commented that the street is a small and extremely busy cul-de-sac.
- The road is narrow and parking is already difficult due to the traffic generated by the commercial uses.
- Questions are raised with regard to how access would actually be achieved.
- Concerns are raised that the site may be contaminated.
- Matters relating to potential flood risk and drainage are also raised.

- Questions relating to access for emergency services vehicles are also raised.
- One resident expresses concern that the height of the dwellings would obstruct the view from their kitchen window.
- The owners of the adjacent garages object to the position of the access and turning area on the basis that they currently use this area and an extension of their forecourt for parking taxed and non-taxed vehicles.
- It is claimed that if the development proceeds, then the garages will no longer be able to operate and will be put out of business.
- It is commented that the Scout Hall is used twice weekly and the development would affect the ability of its users to park in the street.
- It is suggested that the plans be revised to provide access through the builders yard to the south of the site.
- A letter from Cilfynydd Rugby Football Club raises matters relating to land ownership and states that they would advise the developer that the club benefits from a public performance license, allowing a limited number of shows / activities to be held each year in the club and its grounds.

CONSULTATION

Transportation Section – no objections raised, subject to conditions.

Public Health & Protection – no objections raised, site investigations conditions recommended.

Land Reclamation & Drainage - no objections raised, conditions recommended, requiring the submission of a scheme of drainage arrangements and details for the protection of watercourses in the vicinity of the application site.

Dwr Cymru/Welsh Water - no objections raised, conditions recommended. It is noted that a water mains / sewers are located in the vicinity of the site. An informative note advising the applicant of the need to provide appropriate protection zones, in accordance with Dwr Cymru's requirements is suggested.

Countryside, Landscape & Ecology – no objections raised.

- It is noted that the development will not impact upon the adjacent Oak Trees (outside of the application site).
- There is however, evidence of Japanese Knotweed on the site; as such the developer should ensure an appropriate scheme of treatment for this is applied.
- It is noted that there is bramble and buddleia coverage on the site and that this may provide local ecological value, by way of nesting birds and reptile potential. No objections are raised, however the use of a wildlife management plan condition is recommended.

Natural Resources Wales – no objections raised. It is noted that the red line boundary of the proposed development site lies at the edge of Zone C2, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15). However, based on the site layout drawing, it is noted that no built development will be located within the flood outlines. Therefore, no adverse comments are raised from a flood risk perspective.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Indicates that the site is within settlement limits of Cilfynydd and within a land reclamation scheme area.

AW2 promotes development in sustainable locations.

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

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

AW10 refers to environmental protection and public health, referencing matters relating to flood risk.

SSA13 sets out the criteria for development within settlement boundaries.

SSA24 identifies a number of land reclamation schemes, including Albion Lower Tips land reclamation scheme, Cilfynydd.

National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 8 (Transport) and Chapter 9 (Housing) 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 15: Development and Flood Risk;

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 development

As identified above, the site is located within the settlement limits of Cilfynydd, albeit that the north, south and eastern site boundaries define the line of the settlement limit. The plot is positioned within an area, which is characterised by a mix of both commercial and residential development, as such; it is considered that its re-development by the construction of four dwellings on the site would be compatible with the surrounding land uses. Similarly, local planning policy states that residential development on unallocated land within settlement limits, in the Southern Strategy Area should be supported, subject to criteria. These include ensuring that the proposal is well related to the existing pattern of development in terms of scale, layout, design, use of materials and general character of the surrounding area.

Consideration should also be given to the planning history of the site. In this case, it is noted that outline planning permission for the redevelopment of the site for residential purposes was approved in 2006. As such, the principle of the development is considered acceptable, subject to an assessment of the impact of the proposed development upon the character and appearance of the surrounding area; the impact of the development on the residential amenities of neighbouring properties; and the impact of the proposal on highway safety.

Character and appearance

The scheme proposes the construction of four detached properties, to be developed upon a vacant parcel of land, within settlement limits. The site is located at the eastern end of Park Place, an established street in the village of Cilfynydd. The site partially fronts the highway of Park Place, with the remainder bounding a footpath that connects with the Rugby Club to the east. As such, the site and proposed development would form part of the established street scene.

The general character of the immediate area consists of a mix of traditional terrace housing, with a number of commercial units located opposite the site. It is considered that the proposed development layout would respect and continue the arrangement of existing development in the area, with the properties being laid out along the length of the site, with their frontages facing north, to address the highway fronting Park Place and connecting footpath that leads to the Rugby Club site. Whilst it is noted that the dwellings would be detached, rather than terraced, their design would be uncomplicated and would respect the general form of neighbouring buildings, being conventional ridge roof constructions. It is also considered that the palette of materials proposed is appropriate, with the use of a combination of traditional stone work and render to the elevations, along with small larch cladding panels to add interest; and slate tiled roofs.

Overall, despite being slightly larger than the traditional terrace units which adjoin the site, it is considered that the siting, scale and appearance of the dwellings would respect the size and proportions of the development site and would be in keeping with the character and pattern of development of the area. Therefore, the development is considered to be in keeping with the character and appearance of the surrounding area, and, is in accordance with the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential amenity

As set out above, the property is located within an area of mixed character, with a number of established residential properties being located in the vicinity of the site; therefore, it is important that the privacy and amenity of existing neighbouring residents is safeguarded.

Whilst a number of residential dwellings are situated on Park Place, these do not directly bound the application site. As such, it is not considered that the siting and scale of the proposed dwellings would result in either an adverse impact in terms of amenity or privacy to the occupiers of these existing dwellings. Whilst it is accepted that the development of the plot would result in traffic movements to and from the site, it is not considered that the movements, associated with conventional domestic

dwelling, would adversely impact upon the levels of amenity that these residents currently experience.

It is noted that a letter of objection has been received from the resident of a property on Jones Street, which lies to the far south of the site. Their letter expresses concern that the development would result in the loss of the view from their kitchen window. In response to this point, it must be noted that an individual's 'right to a view' is not protected and therefore is not a material planning consideration, which may be taken into account in the determination of the current planning application. Notwithstanding this point, it is worthwhile noting the properties on Jones Street do not directly bound the application site and are separated by the adjacent builders yard by a distance of between 30 – 40 metres.

It is noted that the site also lies in close proximity to a number of commercial uses, which include a commercial garage, builders yard and rugby club. It is acknowledged that each of these activities have the potential to generate a degree of activity and noise by their operation. However, as noted above, the existing area is characterised by a mix of commercial and residential uses, with a number of established dwellings already lying in close proximity to these operations. Overall, it is not considered that the presence of these commercial activities would warrant a reason for the refusal of the current application, which seeks to bring into use a vacant parcel of land within settlement limits.

Highway Safety

In order to aid in the assessment of the proposal upon highway safety, consultation has been undertaken with the Council's Transportation Section. Their response comments that the means of access to the proposed dwellings would be via Park Place, which connects with the A4054 Cilfynydd Road. It is noted that at present Park Place is a no-through road to vehicular traffic that lacks a formal turning area.

The layout plan illustrates that the site would be accessed off a 5.5m wide carriageway, with a 2 metre wide footway. The plans also illustrate the provision of a turning area at the top of the existing adopted highway (Park Place). The remaining dwellings, within the site, would be served via a private shared access, measuring 4.5 metres in width with a turning facility at the eastern extent of the site. Having assessed the scheme, it is considered that the proposed road and access layout is acceptable, with the provision of a turning area at the end of Park Place, representing a benefit and allowing all traffic which uses Park Place access / egress in forward gear.

In accordance with the Council's Supplementary Planning Guidance, each 4 bedroom dwelling would require up to a maximum of 3 on-site spaces to be provided within the curtilage of their site. The submitted layout plan, illustrates 2 on-site parking spaces for Plots 1 – 3 with 3 spaces for Plot 4. However, it is worthwhile noting that there is potential (within the curtilage of each plot) for plots 1-3 to increase this parking provision in the future, should the need arise. Taken the above into account and given that the site is within walking distance of local amenities and public transport, the number of parking spaces provided is considered to be at an acceptable level.

It is acknowledged that a number of the objections received from neighbouring occupiers express some concern with regard to the means of access to the site. However, having assessed the proposal, the Council's Transportation Section are satisfied with the proposed layout, means of access, circulation and parking to be provided at the site; and therefore no highway objections are raised.

It is noted that the commercial garages opposite the site have raised an objection on the basis that they currently use the highway at the end of Park Place as an informal extension to their garage forecourt, and comment that they often park un-taxed vehicles in this area. In response to this point it must be noted that, following discussions with the Council's Transportation Section and Adoptions Officer, it has been established that the full extent of Park Place is an adopted highway. Therefore, the garage owners do not benefit from any exclusive rights of access, which would allow them to utilise this section of the highway as an extension of their own business premises.

Other Issues

The following other material considerations have been taken into account in considering the application.

Flood Risk and Drainage

In order to aid in the assessment of flood risk matters upon the scheme consultation has been undertaken with Natural Resources Wales.

Their assessment finds that the red line boundary of the proposed development site lies at the edge of Zone C2, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Furthermore, their Flood Map information, which is updated on a quarterly basis, confirms the site to be partially within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the Nant Cae-dugwg. However, based on the site layout drawing it is noted that no built development would be located within the flood outlines. As such, their response concludes that Natural Resources Wales have no adverse comments in relation to the scheme from a flood risk perspective. Similarly, the Council's Land Drainage Section, raises no objection to the planning application, subject to conditions, which require the submission of a full scheme of drainage arrangements for the site.

Following consultation with Dwr Cymru, it has been identified that the site is crossed by a watermain. Whilst Dwr Cymru do not raise an objection to the planning application, they state that access to their assets is required at all times, therefore, an appropriate protection zone must be provided either side of the watermain. This information has been passed directly to the applicant, who following discussions with Dwr Cymru, has been able to identify the location of these assets. As such, the layout plan has been revised slightly in order that no built development is located over the watermain and a protection zone is afforded either side of the asset. Notwithstanding these revisions, should Members be minded to approve planning permission an informative note is recommended, which draws the applicant's attention to the need to contact Dwr Cymru to discuss their requirements further before any works commence on site.

Conclusion

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, impact upon the amenities of existing residents and its potential impact upon highway safety. Therefore the proposal is recommended for approval, subject to the conditions specified below.

RECOMMENDATION: Grant

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s): 837/100 Rev A, 837/P01, 837/P02 Rev B, 837/P05 Rev B, 837/P03 Rev A, 837/P06, 837/P04 Rev A and documents received by the Local Planning Authority on 15/09/14 & 01/10/14 & 09/10/14.

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

3. Prior to beneficial occupation of any dwelling, the proposed means of access, circulation and parking shall be laid out in accordance with the amended layout plan, Drawing No. 837/P02 Rev. B, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the adequacy of the proposed development, in the interests of highway and pedestrian safety.

4. Notwithstanding the submitted plans, full engineering design and details of the proposed highway improvements including a new turning facility, linked footways / vehicular crossover, street lighting, drainage and cross sections shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The approved details shall be carried out to the satisfaction of the Local Planning Authority prior to beneficial occupation of any dwelling.

Reason: In the interests of highway and pedestrian safety.

5. Notwithstanding the submitted plans, full engineering design and details of the tie of the private shared access serving Plots 2 – 4 with Park Place shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The approved details shall be carried out to the satisfaction of the Local Planning Authority prior to beneficial occupation of any dwelling.

Reason: To ensure the adequacy of the proposed development in the interests of highway and pedestrian safety.

6. The private shared access serving Plots 2 – 4 shall be laid out and constructed in permanent materials to the satisfaction of the Local Planning Authority prior to beneficial occupation.

Reason: To ensure the adequacy of the proposed development in the interests of highway and pedestrian safety.

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

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

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

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

9. Prior to the commencement of development, details of traffic management and wheel washing facilities shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that mud and debris are not deposited from the construction site onto the public highway, in the interests of highway safety.

10. Heavy Goods Vehicles movements shall only take place to and from the site between the hours of 09:00 – 16:30 weekdays during the course of site preparation and construction works.

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

11. Prior to commencement of development, structural calculations, which demonstrate the adequacy of the retaining wall, which bounds the southern site boundary, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details, prior to beneficial occupation of any dwelling, unless agreed otherwise in writing the Local Planning Authority.

Reason: In the interest of safety, to ensure the stability of the retaining structures on site.

12. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning

Authority:

1. A desk-top study 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.
2. A site investigation shall be carried out 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 agreed in writing with the Local Planning Authority.
3. A written method statement for the remediation of contamination affecting the site

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

13. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 12) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

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

14. If during development works any contamination is 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 work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

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

15. 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.

16. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local

Development Plan.

17. No development shall take place unless a scheme has been submitted to and approved by the local planning authority, including proposed mitigation, design details and a development program with respect to:
- Protection of open and culverted sections of the existing watercourse during and after construction;
 - Protection of properties downstream of the development from increased flood risk during and after construction owing to the development; and
 - Protection of properties within the development from flood risk.

Reason: To ensure that the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties and environment with respect to drainage.

18. 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 buildings are 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.

19. Building operations shall not be commenced until samples of the construction materials, including render colour, larch cladding and roof tiles proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

20. 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.

21. 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.

22. No development shall take place until a Wildlife Protection and Mitigation Plan for Construction has been submitted and approved in writing by the local planning authority. The plan shall include a method statement which ensures appropriate consideration of nesting birds and reptiles, including a timetabling of works, to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed.

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

23. Construction works on the development shall not take place other than during the following times:

- i) Monday to Friday 0800 to 1800 hours;
- ii) Saturday 0800 to 1300 hours;
- iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

=====

APPLICATION NO:	14/0970/10 (MF)
APPLICANT:	One Stop Stores Limited
DEVELOPMENT:	Retrospective permission for the installation of new external air condensing units at the rear of the premises, the installation of an ATM to the front elevation, and the installation of a new side door access.
LOCATION:	25-28 LEWIS STREET, ABERAMAN, ABERDARE, CF44 6PY
DATE REGISTERED:	12/09/2014
ELECTORAL DIVISION:	Aberaman North

RECOMMENDATION: Approve

REASONS:

The application is considered to be acceptable in respect of its visual impact, the impact it has upon the amenity and privacy of the neighbouring residential properties, and its impact upon highway safety.

APPLICATION DETAILS

Retrospective planning permission is sought for the replacement of three air condensing units, the retention of an ATM, and the alteration of a side access door at One Stop Store, Lewis Street, Aberaman.

Three air condensing units located within an enclosed yard to the rear of the property have been replaced. The new units were required to facilitate the air conditioning system and refrigeration units in store. The units measure 1m in width by 1.2m in height and each contain two cooling fans.

The recessed pedestrian access door at the eastern side of the building has been upgraded. A new white PVCu door has been installed and a roller shutter has been sited in front for security purposes.

An ATM has been installed at the left hand side of the buildings front elevation. It is set at a height of 800mm (approx 32 inches) from ground level measuring 600mm (approx 24 inches) in width by 900mm (approx 36 inches) in height. Details of the advert sign above have been included with this submission; however, this aspect of the ATM was subject of separate advertisement consent, application ref. 14/0761, granted on 03/06/14.

The applicant has stated that all works were undertaken and completed in May 2014.

The application is accompanied by the following:

- Design and Access Statement.
- Acoustic Report for Air Condensing Units

SITE APPRAISAL

The application property is a 3 storey, end of terrace, commercial premises sited within the retail centre of Aberaman. The ground floor is occupied by a retail shop with the first and second floors occupied by residential flats. The store has a modern glazed shop front to the front and eastern side elevations that incorporate a variety of both illuminated and non-illuminated signage. Being sited in the local and neighbourhood centre of Aberaman, the immediate neighbouring properties along the street are commercial in nature including retail stores and hot food takeaways, however, the wider locality is predominantly residential in nature.

PLANNING HISTORY

Planning applications submitted within the last 10 years include:

14/0434	Aberaman Discount Food Store, 25-28 Lewis Street, Aberaman	Manufacture and install 2 fascia's, 5 digitally printed window graphics, 2 ATM signs and 1 projecting sign	Granted 03/06/14
---------	---	--	---------------------

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. One letter of objection with the names of three local residents and an email from the local Councillor, Sheryl Evans, has been received making the following comments (summarised):

- Residents were not given the chance to raise any concerns when the ATM was first installed.
- There is already another ATM in the street at the Post Office and several more in the wider locality.
- The ATM has increased noise in the locality by way of people talking when using it, additional cars in the street, and the operational noise of the machine itself.

CONSULTATION

Transportation Section – no objection.

Public Health and Protection Division – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Aberaman and is within the local and neighbourhood retail centre of Aberaman.

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 – seeks to ensure that development proposals do not harmfully impact on local amenity, the environment and public health and safety.

Policy NSA18 – identifies the retail hierarchy for the Northern Strategy Area with Aberaman being classed as a local and neighbourhood centre.

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.

Principle of the Proposed Development

The proposal seeks the retention of air condensing units, an access door and an ATM at an existing convenience store within the commercial centre of Aberaman. It is therefore considered that in principle, the proposal is acceptable, subject to an assessment of the following criteria.

Visual Impact

The condenser units are considered acceptable in terms of design and scale being similar to that of the units they have replaced and typical of features of this nature. Furthermore, they are sited within an enclosed court yard area to the rear of the premises and are not visible from any public vantage points.

It is considered that the limited scale and very nature of the ATM and access door installations have a minimal impact on the overall visual appearance of this commercial property. Although the surrounding area is predominately residential in nature, the immediate locality is of a mixed use with a number of commercial premises that have varying front facades being located directly adjacent to the application property. The openings created to accommodate the ATM and door have been finished in materials that match the host building. As such, the works do not present a visually obtrusive feature to the existing street scene. Consequently, given the location of the ATM and door and the small scale alterations undertaken, it is not considered that the works have any adverse impact on the character and appearance of the surrounding locality.

Residential Amenity

As previously detailed, the condenser units have been sited within an enclosed yard area to the rear of the site and have simply replaced previous similar units. Therefore, with the immediate neighbouring properties being commercial in nature, it

is not considered that the new units would have any further impact in comparison to that which would have previously occurred. Furthermore, the application is accompanied by an appropriate acoustic assessment that concludes by stating that there would be no significant impact upon the surrounding properties. As such, no objection has been raised by the Council's Public Health and Protection Division following consultation.

It is acknowledged that the introduction of an ATM at the application site may have increased vehicular traffic and footfall in the locality which in turn may impact upon the amenity of the closest residential properties. However, given the historic commercial nature of the application property and its immediate locality, it is not considered that any noise or disturbance caused by the use of ATM would be significantly greater than that which would have previously occurred.

Subsequently it is not considered that the development has a significant enough impact upon the residential amenity of the surrounding neighbours to warrant refusal of the application.

Highway Safety

Following consultation no objections have been raised by the Council's Transportation Section. It is therefore considered that the development does not have any adverse impact in regards to pedestrian or highway safety.

Other Issues

It is acknowledged that the surrounding neighbours did not have the chance to raise any concerns prior to the development being undertaken, however, a planning application was not submitted to the Council prior to any works starting on site and it was not made aware of any works until after they had been completed. Consequently the Council was unable to notify the neighbours at this time.

Following consultation with the applicant, this retrospective planning application has now been submitted to the Local Planning Authority in order to regularise all of the works undertaken at the site during which, the surrounding neighbours have been consulted and have had the opportunity to raise any concerns. These concerns have been fully considered during the assessment of this application as detailed above.

It is also acknowledged that there are numerous other ATM's in the surrounding area, however, this is not a material planning consideration and should not be taken into account when determining this application.

Conclusion

It is not considered the works have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. Furthermore, the scheme is acceptable with regards to its impact upon highway safety. As such, the application is considered to comply with the relevant policies of the Local Development Plan (Policies AW5, AW6 and AW10).

RECOMMENDATION: Grant

=====

APPLICATION NO: 14/1145/10 (KL)
APPLICANT: Mr Paul Robbins
DEVELOPMENT: Retrospective consent for domestic garage
LOCATION: LAND OPPOSITE 16-17 ARFRYN TERRACE,
TYLORSTOWN, CF43 3DR.
DATE REGISTERED: 11/09/2014
ELECTORAL DIVISION: Tylorstown

RECOMMENDATION: Approve

REASONS:

Although a number of objections have been received, the visual impact of the proposed garage and its impact on the amenity and privacy of neighbouring properties are not considered sufficiently harmful to warrant its refusal.

APPLICATION DETAILS

Full planning permission is sought for the construction of a domestic double garage on land opposite 16 and 17 Arfryn Terrace, Tylorstown.

The proposed garage would measure 7.9 metres in width by 9.67 metres in depth and would incorporate a monopitch roof measuring a maximum of 3.4 metres in height. It would have two vehicular access doors within the front elevation which would provide access for a car and a motor home off Arfryn Terrace. The garage would be finished externally with render with a box profile sheeting roof and steel doors to the front elevation.

The application is a resubmission of a previously approved application for a garage measuring 7.6 metres in width by 8.5 metres in depth with a maximum height of 3.4 metres. The garage was built slightly larger than the dimensions approved and has therefore resulted in the submission of the current scheme. The current proposal seeks to regulate the width and depth of the garage as it has been built. Whilst the height of the garage as currently constructed extends to 3.6 metres, it is proposed that the height would be reduced to measure that which was previously approved (3.4 metres).

The application is accompanied by the following:

- Design and Access Statement

SITE APPRAISAL

The application site is located within a residential street in Tylorstown. It is set within a row of existing garages along the north-eastern side of the road and is at road level

with Arfryn Terrace. The garages vary in both scale and design with no set building line visible within the row. There are a number of residential properties on the other side of the road to the south-west of the site which are set back and up from the road by a small garden area. The rear of the site is at a higher ground level to properties in Hendrefadog Street to the north-east, however, an unmade lane lies between the rear of the site and the rear gardens of those properties. The site is located within the boundary of the Rhondda Historic Landscape and is currently occupied by two domestic garages which are to be demolished.

PLANNING HISTORY

14/0092	Land opposite 16 & 17 Arfryn Terrace, Tylorstown	Domestic garage for a private car and motor home (Amended plans received 10 th March 2014)	Granted 09/04/14
13/1064	Land opposite 16 & 17 Arfryn Terrace, Tylorstown	Domestic garage for a private car and motor home	Refused 20/12/13

PUBLICITY

The application has been advertised by means of direct neighbour notification and a number of site notices. Two letters of objection and a petition of 12 signatures have been received from the occupiers of surrounding properties which are summarised as follows:

- The applicant has not complied with the plans submitted.
- The garage is totally out of proportion to any of the existing garages and forms a blot on the landscape of the street.
- The garage has been built substantially larger than that approved.
- A garage has previously been refused at the site due to its proposed mass, bulk and height forming an unsympathetic addition within the street scene.
- The current garage is incongruous, un-neighbourly and has a detrimental impact on the character of the street.
- The garage will impact on the property values of the street.
- The garage will set a precedent for others.
- The garage is proposed to house a motor home and there is concern that access may be restricted for such a large vehicle due to cars being parked outside the properties opposite.
- The garage has been built with a 6 inch gap between the adjacent garages and this is considered to be un-neighbourly.
- The intention to add a noisy roller shutter door will have a detrimental impact on those living closest.
- The height and width of the garage raises concerns with regard to the uses to which it could be put by both present and future owners.

CONSULTATION

Highways – raise no objection subject to two conditions being added to the consent.

Countryside and ecology – no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Tylorstown but 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 construction of a domestic garage within the settlement boundary and the principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

As mentioned previously, the current application seeks to regulate a garage which was built larger than approved under a previous application (14/0092). The garage has been built to measure 7.9 metres in width by 9.67 metres in depth which is 0.3

metres wider and 1.17 metres deeper than what has already been approved. The proposed garage is sited within a row of garages along Arfryn Terrace and whilst it is acknowledged that the structure is larger than others within the row, there is no typical building line visible and it is therefore not considered to have such a significant impact as to warrant the refusal of the application. It is acknowledged that an application has previously been refused at the site, however, the garage proposed under that application was of a much larger scale (7.7 metres in width by 11.2 metres in depth with a maximum height of 5.3 metres) than the currently proposed scheme. The height of the garage, as it currently exists, would be reduced in height from 3.6 metres to 3.4 metres which would be in conjunction with the previously approved scheme and this is therefore considered to be acceptable. The garage would have a rendered finish with a box profile sheeting roof and, on balance, the proposal is considered to be acceptable in terms of the impacts it has on the wider historic landscape.

Impact on residential amenity and privacy

The proposed garage would be sited within a row of existing domestic garages and would be sited far enough away from neighbouring properties in Arfryn Terrace and Hendrefadog Street to ensure that it would have no overbearing or overshadowing impact on those properties. Whilst there appears to be two windows within the rear elevation of the garage, it would be used for domestic purposes and it is not considered that the level of overlooking on the rear gardens of properties in Hendrefadog Street would be so harmful as to have a detrimental impact on the occupants of those properties.

Access and Highway Safety

Concern has been raised with regard to large vehicles, such as a motor home, accessing the garage due to vehicles being parked opposite the site. The garage has been set back approximately 2 metres from the edge of the carriageway at Arfryn Terrace which has a width of 7.3 metres and no objections have been received from the Council's Highways Department with regards to the access of the garage. The application is therefore considered to be acceptable in this regard.

Other

Concern has been raised with regard to the impact the garage would have on the value of surrounding properties, however, this is not a planning consideration and cannot be taken into account in the decision making process. There is also concern that the garage would be used for purposes other than for the storage of vehicles, however, a condition will be added to any grant of consent to ensure that it could only be used for domestic purposes. Whilst it is acknowledged that the garage has been built in close proximity to neighbouring garages at the site and could prevent the maintenance of these garages, this is a civil matter between the two parties and is not a material planning consideration. Concern has also been raised with regards to the possibility of the garage setting a precedent for future development, however, it should be noted that each application is considered on its own merits.

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 approved shall be carried out in accordance with the approved plans received by the Local Planning Authority on 22nd August 2014.

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

2. The garage, hereby approved, shall be finished in accordance with the details submitted in the application.

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. The use of the garage hereby approved, shall at all times be restricted to purposes normally associated with a domestic use and no trade or business shall be carried out therein.

Reason: For the avoidance of doubt as to the extent of this consent, in the interests of the safety of all highway users.

4. The garage, sited as shown on the submitted plan, shall be fitted with doors which will not open over the highway and no doors shall be added or replaced which would open over the highway.

Reason: To prevent obstruction to the public highway, in the interests of highway safety.

=====

APPLICATION NO:	14/1189/10 (LE)
APPLICANT:	The Restaurant Group
DEVELOPMENT:	Installation of supply air and extract grilles and flues to rear elevation of unit and installation of condenser units to rear elevation wall
LOCATION:	CHQUITO UNITS 11B/C TALBOT GREEN RETAIL PARK, TALBOT GREEN, PONTYCLUN, CF72 8LW
DATE REGISTERED:	23/09/2014
ELECTORAL DIVISION:	Talbot Green

RECOMMENDATION: Approve

REASONS:

The proposal represents an appropriate and justified form of development that would aid the conversion of the existing building into a modern restaurant facility whilst raising no adverse planning concerns.

APPLICATION DETAILS

Full planning permission is sought for the provision of an external extraction system comprising air supply and extract grills, roof flues and condenser units at the new 'Chiquito' Restaurant that is being created at the former Comet Unit, Talbot Green Retail Park, Talbot Green. In detail the proposal includes the provision of the following:

- A roof, kitchen extraction flue positioned within the rear roof slope of the building. It would have a 0.6 metre diameter with a projection of 0.6 metre from the existing roof slope.
- A secondary small scale roof flue with a 0.1 metre diameter and 0.3 metre projection.
- Sections of louvre panels/air intake areas to the upper section of the rear elevation of the building. The larger panel would measure 2.0 metres in length by 1.0 metre in height with the smaller panel measuring 0.6 metre by 1.0 metre. Each louvre panel/grill would have a powder coated dark grey finish.
- An extract discharge grill measuring 0.9 metre by 1.0 positioned within the upper section of the rear elevation of the building. The grill would have a dark grey finish.
- Six condenser units that would be positioned on the rear elevation of the building. The condenser units would have a typical appearance for structures of this nature and assist in the air conditioning of the new restaurant facility and the associated chiller/cooking equipment. The two largest units would measure 0.95 metre by 1.35 metres with a 0.36 metre depth. The smallest units would measure 0.88 metre by 0.39 metre with a 0.42 metre depth. The condenser units would be sited on the rear elevation of the building and sited below the level of the rear acoustic barrier (3.0 metre high timber fence) that was approved as part of the planning application to redevelop the site as a number of food/restaurant units (ref no: 14/0214/10).

The application is accompanied by a Design and Access Statement, a noise assessment and detailed performance specifications for the proposed equipment.

SITE APPRAISAL

The application site consists of the former 'Comet' building situated on the Talbot Green Retail Park, Talbot Green. The relatively flat site consists of an area of approximately 1.23 acres and is currently occupied by the stand alone, detached building, associated car parking and delivery area, and surrounding landscaping. The unit is situated toward the northern most corner of the retail park and unlike other units is self contained with a separate access and car park. Wider access to the site is gained from Talbot Road to the west and the A4119 that runs toward the rear of the site. Beyond Talbot Road to the west are a number of residential

properties that face toward the application site. The rear boundaries of the site are defined by a mature tree line. At the time of the site visit, conversion works had begun and were on going at the site, in line with approved planning application ref no: 14/0214/10.

PLANNING HISTORY (most recent)

14/1097/01	Chiquito Restaurant, Unit 11b/c Talbot Green Retail Park, Talbot Green, Pontyclun	Fascia sign, free-standing menu cases and fixed awnings	Granted 26/09/14
14/0928/10	Unit 11a, New Park, Talbot Green	Siting of external extraction system including roof flue and air conditioning condensers and associated works.	Granted 07/10/14
14/0482/01	Frankie & Benny's, Unit 11a, New Park, Talbot Green	Multiple advertisements for new restaurant.	Granted 20/06/14
14/0214/10	Comet Plc, Talbot Green Retail Park, Talbot Green, Pontyclun	Alterations to and subdivision of existing Class A1 retail unit to provide up to five Class A1, A3 and mixed A1/A3 units, car park alterations and ancillary works.	Granted 17/04/14
13/0910/10	Comet Plc, Unit 1 Talbot Green Retail Park, Talbot Green, Pontyclun	Alterations to and subdivision of existing Class A1 retail unit to provide up to five Class A1, A3 and mixed A1/A3 units, car park alterations and ancillary works	Granted 28/11/13

PUBLICITY

The application has been advertised by direct neighbour notification and site notice. Three letters of objection have been received against the planning application, the third letter of objection being signed by the residents of both 109 Talbot Road and The Rise, Talbot Road. The objections raised are summarised as follows:

- The proposed development is in close proximity to the Castle Hill Houses. The installations are going to smell and cause excessive noise to the residents living nearby.
- Such features could cause cooking fumes to the detriment of residential properties.
- The company was being dishonest when they originally submitted the application – several planning applications have already been submitted for the site and more submissions are likely.
- These proposals were not in the original plans and residents have been drip fed plans.

CONSULTATION

Transportation Section - no objections raised.

Public Health and Protection - no objections raised, it is advised the development must adhere to the specifications and recommendations of the reports that have been provided with the application (Acoustic Report and Performance Specifications Report).

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is within the settlement boundary and within the principal retail centre of Talbot Green.

Policy CS1 - promotes sustainable growth in the Southern Strategy Area.

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

Policy AW5 - sets out criteria for new development.

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

Policy AW10 – advises the need to consider environmental protection and public health issues for new development proposals.

Policy SSA3 - sets out criteria for development in the Principal Town of Talbot Green, including that which reinforces the role of the town and which integrates positively with existing development.

Policy SSA16 - supports retail uses that maintain or enhance a centre's position within the retail hierarchy.

Policy SSA17 - sets out criteria for appropriate retail development in the retail centres of Principal Towns.

Planning Policy Wales

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

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;

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 development

The application seeks consent for the siting of a number of external structures to the 'Chiquito' Restaurant that is currently under development at the former 'Comet' site, Talbot Green. Planning permission has previously been granted for the general redevelopment of the building and the current application now seeks consent for the siting of specific plant equipment to support the use of the building as a restaurant. The site is situated within the settlement boundary and within a key retail centre. The development is therefore supported in principle.

Visual Amenity

In terms of visual amenity the scheme raises no adverse concerns in this regard. The scheme seeks consent for plant/air-conditioning equipment that would be sited to the rear of the building and therefore have no impact on the commercial frontage of the building that is currently under development. Whilst a number of external condenser units are proposed as part of the scheme they would be sited at a low level on the rear elevation and would be screened from wider public views by a high acoustic barrier/timber fence that is proposed as part of the wider scheme to re-develop the site (ref no: 14/0214/10). The proposed roof flues are of a relatively modest scale in comparison to the large building they would relate and would be relatively well screened from the nearest residential properties along Talbot Road and properties further east by a number of large trees that line the rear boundaries of the site. The proposed rear louvre panels/grill structures are also considered appropriate and raise no visual amenity concerns, with no aspect of the scheme resulting in an overly obtrusive or visually jarring feature being introduced to the locality. A recommended condition should Members be minded to grant planning permission would also ensure the finishing colour of the roof extraction flues does not detract from the visual amenity currently enjoyed in the area. It is also important to consider that the extraction/air conditioning system would support the general re-use of the building, following the closure of the Comet store in 2012, as a positive commercial use within the defined, key retail centre of Talbot Green.

Overall, the scheme is not considered harmful to the character and appearance of the surrounding locality.

Public Amenity

With regard to the potential impact on public amenity and privacy, whilst acknowledging the comments raised by local residents that primarily relate to noise and odour concerns, it is not considered the scheme raises any harmful issues in

this regard. The general nature and scale of the external extraction/air conditioning system is typical of a commercial facility of this nature, with the nearest residential properties being sited approximately 55 metres away from the proposed siting of the new equipment. Furthermore, the rear of the site would also be enclosed by a 3.0 metres high acoustic barrier/timber fence that would screen the proposed condenser units from public views. In addition, the existing landscaping and vehicular highways surrounding the site form a significant buffer between the application site and the nearest residential properties, with such a proposal unlikely to give rise to adverse noise or odour issues.

The Public Health and Protection Division has considered the proposal and reviewed the acoustic report and detailed specifications of the development proposal submitted with the application (in terms of odour control, noise, and waste disposal). No objections have subsequently been raised by the Public Health and Protection Division against the planning application. Additionally, comments raised by local residents in relation to the number of planning applications submitted at the site and the likelihood of further planning applications being submitted are noted although not considered a justified reason to warrant the refusal of such a planning application.

Overall, it is not considered the scheme would have a significant impact on current levels of residential amenity enjoyed in the locality.

Other Issues

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

Highway Safety and Drainage

A small scale proposal for the siting of such plant equipment on an existing building raises no highway safety concerns or drainage issues.

CONCLUSION

The proposal represents an appropriate and justified form of development that would aid the conversion of the existing building into a modern restaurant facility whilst raising no adverse planning concerns. Concerns raised by residents in regard to potential noise and smell issues, given the characteristics of the site and acceptable design of the development proposals, are not considered a reason to warrant a refusal of the planning application.

The scheme complies with the requirements of planning policy and is therefore 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 shall be carried out in accordance with the following approved plans and documents:

- Drawing no. 561-20-Rev A, received 02/09/2014 - Existing and proposed rear elevation.
- Drawing no. 015-011-01-Rev A, received 02/09/2014 - Ventilation Layout Ground Floor & Plant Deck.
- Hepworth Acoustics Noise and Vibration Consultants - Plant Noise Assessment – Report No.31696.1v1.
- Chapman Ventilation - Performance Specification for the Heating Ventilation and Air Conditioning of the Proposed Chiquito – Llantrisant.

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

3. Building operations shall not be commenced until details of the external materials and finishing colour of the proposed extraction flues to be used for the development have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the detail(s) so approved.

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.

=====

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

6 NOVEMBER 2014

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

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

See Relevant Application File