

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2014-215**

**DEVELOPMENT CONTROL  
COMMITTEE  
18 DECEMBER 2014**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	Agenda Item No. 6
<b>APPLICATION RECOMMENDED FOR REFUSAL</b>	

**1. PURPOSE OF THE REPORT**

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

**2. RECOMMENDATION**

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

1. Application No. 14/1347 - Temporary demountable open fronted storage building and access road (amended description dated 11th November 2014 and amended plan dated 12th November 2014), land rear of The New House, Abercynon Road, Abercynon, Mountain Ash..

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## **APPLICATIONS RECOMMENDED FOR REFUSAL**

**APPLICATION NO:** 14/1347/10 (GW)  
**APPLICANT:** Steve's Scaffolding Services  
**DEVELOPMENT:** Temporary demountable open fronted storage building and access road (amended description dated 11th November 2014 and amended plan dated 12th November 2014).  
**LOCATION:** LAND REAR OF THE NEW HOUSE, ABERCYNON ROAD, ABERCYNON, MOUNTAIN ASH, CF45 4LY  
**DATE REGISTERED:** 12/11/2014  
**ELECTORAL DIVISION:** Abercynon

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**RECOMMENDATION:** Refuse

### **REASONS:**

The development would be unjustified development located outside the settlement boundary contrary to the Rhondda Cynon Taf Local Development Plan (LDP). There would be a detrimental impact on residential amenity from increased noise and disturbance as a result of traffic movements in closer proximity to residential dwellings and the new building and road would have a detrimental visual impact on the character of the area.

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## **APPLICATION DETAILS**

Full planning permission is sought for the erection of what is described as a temporary demountable open fronted storage building and access road for the storage of scaffolding (Steve's Scaffolding Services Ltd). The proposal is to relocate the business use from the existing scaffolding store to the new site and thus separate the commercial and residential uses on the current site. The application details the applicant would be willing to enter into a legal agreement to extinguish his established commercial/industrial use rights at the existing site. It is further detailed the applicant is looking for a temporary permission that is "personal to the applicant and house owner who is the owner and manager of the firm Steve's scaffold."

Members will be aware a previous application (Reference 14/0959) for a similar development was recently submitted. This application did not propose a temporary/personal permission and the unit was slightly larger and of a more substantial construction. This application was withdrawn in September 2014, prior to being reported to Development Control Committee.

The applicant has stated in his letter of support that he is not trying to expand the company or number of vehicles currently used. He further details the development is required as the scaffolding business conflicts with the residential use of the site in terms of the health and safety of his grandchildren, who live at dwellings within the former dairy site.

The building would be located to the south east of the applicant's house. It would measure 30m by 12m and with a maximum height of 5m. Its front elevation would be open and the sides and rear would be finished with what is described as "rural style timber slatting". The roof would be finished with PVC Plastisol coated steel sheets an olive green colour.

Access would be from the existing access off Abercynon Road, however a new spur would be created (behind nos. 155 - 179 (odd) Abercynon Road) and surfaced leading to the site. Part of the access would be raised (by a maximum of 2m) to reduce its overall gradient. Two car parking, two light goods vehicles (small vans) and five other vehicle (scaffolding vehicles) parking spaces (as existing) are detailed as being required. These are however not detailed on the plans submitted.

Operating hours are detailed as between 08:00 and 17:00 on Monday to Fridays and 08:00 and 13:00 on Saturdays with none taking place on Sunday and Bank Holidays (as existing). The application details approximately 7 movements out are made in the morning and 7 back in the afternoon. The applicant details that conditions restricting the time of movements would be acceptable.

It is further detailed on the application form as existing there would be 16 employees, (including the applicant).

The application is accompanied by the following:

- i) Design and Access Statement.
- ii) A letter of support from the applicant.

## **SITE APPRAISAL**

The proposal site is a piece of land to the south-east of a group of houses (including the applicant's house) and the existing scaffold storage business. This is located on a plateau of land above Abercynon Road and separate from the surrounding development. Access is via a private drive from Abercynon Road.

The land for the proposed unit is an extension of the plateau detailed above and is generally flat. The land however slopes to the rear and also down from the front to the rear of dwellings below on Abercynon Road. The surrounding land is covered with rough vegetation. Further to the south-west is Cemetery Road.

## **PLANNING HISTORY**

14/0959	Land adjacent to New House on the Dairy, Abercynon Road, Abercynon	New commercial outbuilding for storage of scaffolding	Withdrawn 19/09/14
07/0485	New House on the Dairy, Abercynon Road, Abercynon	Construct 1st floor extension over single storey garage to provide additional bedroom with balcony to front	Granted 18/05/07
06/0834	Land at the dairy, Abercynon Road, Abercynon	Proposed four bedroom detached dormer house.	Granted 15/6/06
05/2194	Former dairy complex off Abercynon Road, Abercynon	Demolition of commercial garage and flat over - construction of new house on the site	Granted 15/6/06
05/0738	Part of Former Dairy Complex, off Abercynon Road.	Conversion of commercial garage and flat over to a single dwelling.	Granted 29/7/05
00/4105	Former Thurston Dairies, Abercynon	Swimming Pool	Granted 02/05/00
99/4285	Former Dairy, Abercynon Road, Abercynon.	Dwelling house	Granted 23/08/99
97/4044	Former Dairy, Abercynon Road, Abercynon.	Structural and building alterations including raising of part of roof.	Granted 28/05/97
96/4084	Former Dairy, Abercynon Road, Abercynon.	Raising part of the roof of the existing premises, additional servicing of vehicles and MOT Station.	Refused 08/11/96  Appeal Dismissed 16/04/97
89/0324	Former Dairy, Abercynon Road, Abercynon.	Car Park Extension	Granted 25/07/89

82/0221	Former Dairy, Abercynon Road, Abercynon.	Deposit of material on land in connection with landscaping of site.	Granted 27/07/1982
79/0768	Former Dairy, Abercynon Road, Abercynon.	Cold Store	Granted 14/11/79
79/0198	Former Dairy, Abercynon Road, Abercynon.	Erection of Garage/Office	Granted 18/07/79

## PUBLICITY

The application has been advertised via the erection of a site notice and by direct neighbour notification. In response, 5 letters of support and 15 of objection have been received from local residents at the time of writing the report.

The comments of support are summarised below:

- The new site does not invade my privacy.
- I have never been disturbed by noise and the new proposal is further away from our houses on Abercynon Road.
- The area is currently an eyesore and the new development will ensure it is kept clean and tidy.
- The company is well-established and good for the community and employs local people.
- The moving of the scaffold business from the current site would be a benefit as it is a big health and safety risk for family living on the site that has young children. The firm operate a fleet of five 7.5 tonne vehicles operating from around 7am to 5pm Monday to Friday and 8am to 1pm on Saturday and Sundays. Our children can get into the storage areas where scaffold is stacked up and fork lift trucks are operated.

The objections are summarised below:

- The site is outside the settlement boundary and there is no allocation for industrial use in the Local Development Plan and therefore inappropriate.
- Whether the building is demountable and road temporary is irrelevant, as there would be a negative impact from the development.

- It will have a serious negative impact on our standard of living, wellbeing, privacy and residential amenity.
- It will have a negative impact on the landscape and biodiversity. A number of large trees were removed from the site a couple of years ago.
- The area to the rear, where the access is proposed, is the only respite to the built up surroundings. Residents already are exposed to pollution and noise from the very busy front road (Abercynon Road). The road would result in a loss of our amenity.
- The road and proposed building would have a detrimental impact on the character of the area.
- It could affect the existing retaining wall behind our properties.
- Due to the elevated nature of the road and site it would result in overlooking and overshadowing to our gardens and properties.
- The existing scaffolding business operates outside the proposed opening hours, often before 7:00 in the morning and after 17:00 in the afternoon/evening.
- The proposal would result in noise and disturbance to our properties.
- The unit would attract more traffic as a large unit is proposed.
- There would be issues of air pollution from increased traffic movements near our properties.
- No car parking is shown on the plans.
- The area has been previously mined and is close to a flood plain. There is potential that the proposed works could have an impact on the stability of our property.
- Concerned the development would increase flood risk.
- We have a right of way to access the rear of our properties. The applicant doesn't own all of the land that he has detailed as being under his ownership.
- The applicant continually bulldozes the site which has exacerbated the problem of Japanese Knotweed.
- It would de-value my property

## CONSULTATION

Countryside, Landscape and Ecology - a bat roost is located 62m from the application; however as this for a new build this distance is too far to trigger any need for a bat survey. An appropriate informative note would be required on any permission. In the previous application (14/0959) conditions to control landscaping and Japanese knotweed at the site was suggested.

Dwr Cymru/Welsh Water – no objection subject to drainage conditions.

Land Reclamation and Engineering – no objection subject to conditions.

National Resources Wales – no objection.

Public Health and Protection – no objection subject to conditions on the demolition of existing dwellings, hours of operation, noise, dust and waste.

Structural Engineer (Comments from application 14/0959) – a structural appraisal of the existing retaining wall behind 159 to 179 should be provided to cover its suitability for vehicle loading and a slope stability report for the areas of ground raising.

Transportation Section – the existing access is sub-standard. No objection if there is no intensification of the access. There are highway safety concerns during construction. Conditions are suggested, that they consider could overcome their concerns, and further intensification of the access.

## POLICY CONTEXT

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

The site is partly outside and partly inside the settlement boundary as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated. It is also identified as being partly within an area of sandstone resources (Policy AW14.2)

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

**Policy CS10** – details the Council will seek to protect mineral resources.

**Policy AW2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations i.e. within the settlement boundary and would not unacceptable conflict with surrounding uses.

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

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

**Policy AW8** - sets out criteria for the protection and enhancement of the natural environment.



**Policy AW10** - development proposals must overcome any harm to public health, the environment or local amenity from pollution, land instability, contamination and/or flooding.

**Policy AW14.2** – safeguards areas of sandstone resources from development.

### **Supplementary Planning Guidance**

Access, Circulation & Parking

Design and Placemaking

Nature Conservation

### **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.*

Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 12 (Infrastructure and Services) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development

Manual for Streets

### **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 scaffolding business has been run from the existing site for a number of years. It is a mixed use site with residential dwellings (including the applicants and others) in close proximity to the scaffolding business, however prior to this, Council records detail there was a former dairy depot located on site.

Whilst the applicant has indicated that the proposed development would be 'temporary'; in planning terms this would normally be used to describe a building retained for a very limited period of perhaps 1-2 years which is clearly not the applicant's intention in this case. It is however considered very likely that the applicant would want to retain the building for the foreseeable future for the beneficial use of himself or his family.

It is evident from the planning history of the existing site that the commercial area has been reduced over the last ten years. Council records indicate that around the year 2000 (when the applicant's house was constructed) there was only his and one other dwelling at the site (Woodside). Since then, two more dwellings have been permitted and constructed (Little House and Millwood). These are currently being lived in by the applicant's family.

A further commercial building has also been converted/rebuilt between 2006 and 2010. This now provides ancillary living accommodation and a flat, which the applicant details is being lived in by his grandmother. Although these works would have required planning permission at the time, it is likely (due to the passage of time) that the development has become immune from enforcement action and the issue is currently being investigated by the Enforcement Section. Other enforcement issues are also being looked at including extensions to the residential curtilage of the approved dwellings on land that is outside the settlement boundary (between the new houses and Cemetery Road) and a scaffold store within the yard area of the site. Members are advised that these issues should not affect the determination of this application and would be separate issues. However it does indicate the applicant has reduced the commercial area of the site and increased the residential development at the site.

Members should note that the applicant details that the new storage unit is required as there are concerns over the health and safety of family members who are now living in close proximity to the business use. It is appreciated that as more residential units have been developed at the site (as detailed above), this conflict between residential and commercial would be an increasing issue for the applicant's family living within the former dairy site.

Turning to the new site and whether this is suitable for the proposed development; it is indicated by the applicant that the new site is to the south-east of the former dairy site (albeit it is noted that it is adjacent). Members are advised that although the proposed new site is detailed as being outside the former dairy site; this and the area for the new road potentially may have had some past historical industrial use.

Members are advised from the information provided by the objectors, supporters and applicant that there is conflicting views of whether former coal lorries or other commercial vehicles used the land as a rear access lane. Notwithstanding this, it is considered there is no evidence in the application to clarify that any current industrial/commercial use exists or has been operating over the recent years that could potentially establish a lawful industrial use of the site for the proposed storage unit or the access road. Furthermore, although it is evident the site has been recently cleared of vegetation (now regenerating with significant areas of Japanese Knotweed), Council records indicate that physically it has for some time been separate from the existing residential/commercial site and has been previously covered with significant vegetation.

In policy terms, the application site for the new unit is mainly outside the defined settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP) and is unallocated. Members should note the first section of new road is within the settlement boundary and the proposed unit and latter part of the proposed road is outside.

Policy AW2 of the LDP does not support development outside the settlement boundary. Furthermore, it is noted that Council records indicate that there are vacancies in nearby industrial estates. However, no information has been submitted to confirm whether that these have been explored by the applicant. Members are advised this type of proposed use is normally considered more appropriate in an industrial estate type location, so as to reduce conflicts with surrounding land uses such as residential areas.

The applicant has verbally detailed that if the application is not permitted it would result in a loss of jobs. However, it is considered this would not be the case, as the commercial use could still be continued on the existing site. As such, there would be no difference in the current job situation if the application were to be refused. To the contrary, it is considered the residential developments at the existing site have seemingly reduced the size of the former commercial building and as such, the potential of commercial development and jobs at the site. Therefore, this argument is considered to carry little weight in the determination of the application.

In summing up, it is evident the need for the new site has arisen from the applicants need to separate the commercial and increasing residential use at the site. Whilst the health and safety reasons are noted and appreciated, it is considered this would not weigh in favour of allowing the proposed development that is contrary to planning policy i.e. outside the settlement boundary and no compelling evidence has been submitted detailing why it could not be located at an alternative site.

### **Impact on Residential Amenity and Privacy**

The application would provide a new unit at a similar distance to nearby residential properties as the existing business. As such, if the business was to continue at the same intensity, there would be little difference in the noise and disturbance taking

place at the new site as opposed to the activity continuing on the existing site. Notwithstanding this, the main impact on the nearby residents is considered to be the location and position of the new road and how that affects the amenity of local residents.

The new road would result in lorry and car journeys in closer proximity to the rear of residents on Abercynon Road than existing. The road would also be raised in certain places (to reduce its gradient) and would thus result in a greater impact on the residents on Abercynon Road. A number of objections have been received from local residents with regard to increased noise and disturbance and loss of privacy. Whilst it is noted that potentially there could be the same level of commercial work being carried out within the unit, the location of the access and construction required i.e. ground raising would result in a greater impact on residential properties than existing.

Furthermore it is noted that residents (objectors and supporters) have detailed that work is carried out earlier and later than the hours of operation detailed in the application (between 08:00 and 17:00) and the objectors detail this results in noise and disturbance at unsociable hours. This maybe the case, however if permission were to be granted, hours of working could potentially be controlled by a condition restricting traffic movements to certain times. It is considered however that this type of business may require earlier starting and later finishing due to the nature of the building business and furthermore staff arriving on site would potentially result in some noise and disturbance to local residents outside any permitted hours. Members are advised that as such, it would be difficult and onerous to enforce a condition restricting traffic movements from unsociable hours. Furthermore, it is considered a condition would not acceptably reduce the noise and disturbance impact of commercial vehicle movements in close proximity to the rear of residents on Abercynon Road.

Turning to the physical impact from the unit itself and the potential impact on occupiers of nearby dwellings; a number of objections have been received as a result of the public consultation exercise. These mainly detail there would be a detrimental impact on sunlight and an overbearing impact. The proposed building would however be set back from the lip of the plateau and would not be large enough to have significant detrimental impact in these terms.

In summing up and taking the above into account, it is considered the development would result in commercial activities and traffic movements in closer proximity to nearby residential dwellings on Abercynon Road. As such, it is considered the development would have a significant detrimental impact on the amenity of these residents from increased noise and disturbance.

### **Impact on the Character and Appearance of the Area**

Visually, the building would extend the built area of the existing site along the existing plateau. The development site is readily visible from the rear of properties

on Abercynon Road, from Cemetery Road and from longer views of the site across the valley.

Taking the planning history of the site into account, it is likely the site is reclaimed land from a former industrial use. This and the recent significant clearance and ground works at the site is considered has reduced its landscape value somewhat. However notwithstanding this, it is within a wider area that is heavily landscaped and open in nature. The site is also regenerating its vegetation and would eventually return to a state where it is again more akin to the surrounding countryside area. It is also located mainly outside the settlement boundary and policies in the Local Development Plan aim to restrict the spread of development in such areas for visual reasons.

The design of the proposed storage building has been amended and is slightly shallower in depth than previously submitted in the recently withdrawn application (14/0959). The finishing materials for the elevations are described as 'rural style timber slatting'. Whilst these changes have slightly reduced its visual impact from that previously submitted, it is not considered this is sufficient enough to overcome an objection in visual terms. The building would still be a significant structure resulting in the loss of an area of open countryside that borders the settlement boundary.

The proposed road is detailed as 5.5m in width and would require raising in certain areas to a maximum of 2m in height. It would also be surfaced with rolled hard core. In visual terms, this would result in the loss of a significant area of open countryside by introducing more urban type development.

Therefore it is considered the new unit and road (particularly from the raising required and its width of surface would result in a loss of the open character of the site and would introduce industrial development into the countryside that would have a significant detrimental visual impact.

### **Access and Highway Safety**

There is sufficient area for parking on site, although no parking spaces are indicated on the submitted plans. Details of these could be obtained by a suitably worded condition, if permission were granted.

The Transportation Section has however detail the existing access to the site is substandard. They comment an intensified use would result in a detriment to highway and pedestrian safety during and after the construction of the unit. They also detail some concerns with regard to construction vehicles using the existing sub-standard access. However, on the basis that no further intensification of the access would occur, they do not object subject to conditions including the cessation of the commercial activities on the existing site and a control of the times construction vehicles access and leave the site.

In assessing this issue, Members will be aware there are no restrictions on the current movements to and from the site. Notwithstanding this, the applicant details in the Design and Access Statement that 7 vehicles leave at 08:00 and return at 17:00. Members should also note the commercial area of the existing site has been reduced by the applicant's residential developments at the site, as discussed above. As such, the number of residential movements to and from the site would have increased in recent years.

The applicant has detailed the existing business would be run from the new unit and this potentially would not result in an intensification of the use of the existing sub-standard access, if the same level of business was carried out. It is noted the proposed unit would provide a greater storage area than the existing area detailed and this potentially could result in an intensification of the commercial activities and resulting lorry movements to and from the site if unrestricted.

To ensure the existing use is ceased at the current site, the Transportation Section detail a suitable condition should be placed on any permission granted, however the Council's Legal Section consider that a section 106 legal agreement would be more appropriate.

To restrict the number of movements to the current movements detailed, if permission was granted, a condition could be attached restricting lorry movements to certain times. It is considered however that a condition restricting the number of vehicles used in the operation of the scaffold business would be potentially enforceable. This would also not prevent other ad-hoc movements to and from the site from other vehicles for examples staff and customers, which presumably already occur.

In summing up, it is recognised there is a historical mixed commercial and residential use at the site with no restrictions of traffic movements to and from the site via the sub-standard access. With the use of restrictive conditions and a legal agreement some control of commercial/industrial traffic to and from the site could be achieved. Although there are some reservations of whether these measures could prevent intensification of the use of the access; it is on balance considered the proposal would not result in a significant detrimental impact on highway safety compared to the existing situation.

### **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:

### **Public Health**

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered dust and waste matters can be more efficiently

controlled by other legislation. An appropriate note can be added to any permission concerning waste and dust issues.

### **Ecology**

The development site is an open area of land within the countryside, however Council records and comments from objectors (as a result of the public consultation exercise) indicate it has been cleared relatively recently. There are also significant areas of Japanese Knotweed on the site that may have occurred due to the clearances. No objection has been raised by Natural Resources Wales or the Council's Countryside, Landscape and Ecology Section subject to suitable conditions, if permission were to be granted. In assessing this issue, it is noted the site is not within an area protected for its ecology and that its qualities have been reduced somewhat by recent clearances. Notwithstanding this, it is considered taking into account the comments from statutory consultees that this issue would not warrant a refusal reason.

### **Land Instability and Flooding**

As a result of the public consultation exercise an issue has been raised with regard to the land being unsuitable for development due to its instability and that the development might have a detrimental impact on existing retaining structures along the access immediately adjacent to the rear of the dwellings on Abercynon Road. No objection has been raised by the Council's Structural Engineer subject to an appraisal of existing retaining structures and a slope stability report of the slopes to the new road. Furthermore no objection has been raised by the Land Reclamation and Engineering Section to flooding issues subject to drainage conditions. As such, it is considered these issues would be acceptable.

It is anticipated that any new access in the form proposed would require retaining works to be undertaken on the length to the rear of properties in Abercynon Road. In addition, the need for some form of safety barrier may need to be fully considered.

### **Property Values**

With regard the issue raised from the public consultation exercise that the value of properties would be affected by the proposal, Members are advised this is not a material planning consideration that could be used to determine the application.

### **Land Ownership and Right of Access**

As a result of the public consultation exercise (for this and the previous application) some objectors maintain that the applicant does not own all the land indicated in the application and detail that they have a right of access to the rear of their properties. Members are advised that the land immediately adjacent the rear of properties on Abercynon Road is outside the application site area, but indicated by the applicant as being under his control (i.e. within the blue line area on the site location plan).

The applicant has been made aware of the issue and verbally stated he owns the site and land detailed on the site location plan. A land registry plan has also been

submitted which partly confirms this. Members are advised that disputes in land ownership and rights of access do not provide reasonable justification for the deferral or refusal of planning applications, and it is outside the scope of the planning application process to settle such disputes.

If however permission were to be granted and it is found at a future point that the land is not under the control of the applicant, this may prevent any consent from being implemented.

### **Impact on Resources of Sandstone.**

The site is identified as being within an area to safeguard as a sandstone resource (Policy AW14.2). Paragraph 5.90 in the supporting statements for this policy details residential development would be unsuitable within the safeguarding area. In addition, paragraph 5.88 details there are also areas within the safeguarding zones that have been previously worked, where the quality and extent of the remaining mineral may not require their safeguarding. Further investigations would be required to ascertain this and have not been submitted. The area has been previously worked, the land infilled and the size of the site is considered insignificant in terms of overall resources. It is also close to residential properties and its use for extracting mineral resources would as a result be unlikely. As such in this instance it is not considered the issue would warrant a refusal reason.

### **Conclusion**

The application is considered not to comply with the relevant policies of the Local Development Plan in respect of the principle of the proposed development, the impact on the residential amenity and the impact on the character and appearance of the area (Policies AW2 and AW5).

### **RECOMMENDATION: Refuse**

1. The proposed development comprises unjustified development outside the defined settlement boundary. As such the proposal conflicts with policy AW2 of the Rhondda Cynon Taf Local Development Plan as it would amount to an unacceptable intrusion of industrial development into the countryside.
2. The proposal represents an undesirable intrusion of an industrial use and its associated means of access in close proximity to a residential area, which, by reason of noise, overlooking and general disturbance, would be detrimental to the amenities of local residents. As such the development is contrary policy AW5 of the Rhondda Cynon Taf Local Development Plan.
3. The proposed development, by virtue of its siting and appearance would result in an adverse visual impact on the character and appearance of the area. As such the proposal is contrary to policy AW5 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**

**18 DECEMBER 2014**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATIONS RECOMMENDED  
FOR REFUSAL**

**OFFICER TO CONTACT**

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

**See Relevant Application File**

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