



## **PLANNING & DEVELOPMENT COMMITTEE**

**10 JANUARY 2019**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/1265/08  
(JE)  
**APPLICANT:** Rhondda Cynon Taf County Borough Council  
**DEVELOPMENT:** Provision of modular building to form 'Re Use Shop'  
including public parking area at the existing  
Treherbert Community Recycling Facility  
**LOCATION:** TREHERBERT COMMUNITY RECYCLING CENTRE,  
TREHERBERT INDUSTRIAL ESTATE ACCESS  
ROAD, YNYSWEN, TREHERBERT, CF42 5HZ  
**DATE REGISTERED:** 14/11/2018  
**ELECTORAL DIVISION:** Treherbert

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**RECOMMENDATION:** Grant

#### **REASONS:**

The proposal is welcomed by national planning and waste policies and will provide a 'Re Use Shop' at an established and well used Community Recycling Centre which would be a benefit to the local community. The proposal would also not have an undue impact on the amenity of neighbouring properties, appearance of the area and highway safety within the vicinity and as such complies with the relevant policies of the Local Development Plan.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

The application has been submitted by, or on behalf of the Council or involving land owned by the Council, where the Council's interest is of more than a minor nature.

#### **APPLICATION DETAILS**

Full planning permission is sought for the provision of modular building to be used as a 'Re Use Shop' and associated parking at Treherbert Community Recycling Centre, Ynyswen, Treherbert.

The building would be located towards to the front of the site close to its eastern boundary and would measure a width of 17 metres by a depth of 6 metres. The structure would have a flat roof design measuring a maximum height of 2.8 metres. To accommodate the modular building the existing layout of the recycling centre would be reconfigured.

The additional parking proposed as part of the development would be located to the front of the site outside of the existing metal fencing adjacent to 3 no existing parking spaces. The proposal would see an additional 8 No. parking spaces created as well as new pedestrian access gates to the area which would accommodate the 'Re Use Shop'.

## **SITE APPRAISAL**

The Treherbert Community Recycling Centre site is located within the Treherbert Industrial Estate opposite the Afon Rhondda Fawr which flows alongside the eastern boundary of the site. Neighbouring land uses include a mixture of light industry immediately to the north and educational and playing facilities to the south. The village of Treherbert, which is primarily residential in character, is located to the north and east of the site on the opposite side of the river. The river and its associated vegetation corridor to a large extent provide a natural screen between the application site and the residential area of Treherbert.

## **PLANNING HISTORY**

The most recent applications on record associated with this site are:

15/1453	Extension of the Treherbert Waste Recycling Centre, to accommodate a trade waste recycling area.	Grant 11/02/16
07/1128	Community recycling centre.	Grant 11/02/13
05/1679	Community Recycling Centre	Withdrawn 28/01/2014, - Finally disposed of.

## **PUBLICITY**

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site.

No letters of objection or representation have been received.

## **CONSULTATION**

Highways - no objection or conditions suggested.

Public Health & Protection - no objection although conditions suggested regarding hours of operations, noise, dust and waste.

## **POLICY CONTEXT**

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

The application site lies within the settlement boundary for Treherbert and isn't allocated for a specific purpose.

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

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

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

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

### **Supplementary Planning Guidance:**

Design and Placemaking

Delivering Design & Placemaking: Access, Circulation and Parking

### **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.

The Welsh Government published Planning Policy Wales 10 on 5<sup>th</sup> December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being Through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development

Chapter 3 (good design and better places, promoting healthier places, sustainable management of natural resources)

Chapter 4 (moving within and between places, transport, living in a place, housing)

Chapter 5 (reducing energy demand)

Chapter 6 (green infrastructure, landscape, biodiversity and ecological network, water and flood risk, air quality and soundscape, lighting)

Other policy guidance considered:

PPW Technical Advice Note 12 - Design  
PPW Technical Advice Note 18: Transport

## **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

### **Main Issues:**

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

The application relates to the provision of a modular building to be used as a 'Re Use Shop' within the curtilage of an existing Community Recycling Centre. Planning Policy Wales 10 and the Welsh Government's 'Towards Zero Waste' policies support and welcome such proposals for re-use and recycling facilities.

As such, the principle of development is therefore considered acceptable subject to it satisfying the criteria set out below.

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

Whilst the development would inevitably alter the current appearance of the site and would form a visible feature within the immediate locality, given the nature of the works and its location within an established Community Recycling Centre, the proposal would not significantly impact upon the character and appearance of the wider area. Also given its siting within an existing established industrial estate, it would not be generally visible from outside of the estate and would form a feature commonly found within such locations.

As such it is not considered the proposed development would result in the formation of a prominent feature that would be harmful to the character and setting of the application site or the wider locality. The application is therefore considered acceptable in this regard.

#### **Impact on amenity**

The application site is located within the established Treherbert Industrial Estate where the properties within the immediate vicinity are predominantly commercial in character. As such whilst it is recognised that the proposed 'Re Use Shop' would inevitably result in some noise and disturbance, it is not considered the nature of the

proposed use would result in a significant impact on the amenities and operation of surrounding properties.

The nearest residential dwellings to the site are located at Eleanor Street, approximately 60–70 metres away to the north-east and on the opposite side of the Afon Rhondda Fawr. As such they are well screened from the site and given the area surrounding the application site includes Treherbert Industrial Estate, the nearest dwelling would have become accustomed to a degree of disturbance from the existing commercial uses within the estate.

It is also noted that no objections have been received from the occupiers of the surroundings properties following the consultation process, the application is therefore considered acceptable in this regard.

## **Highways**

### Access

The proposed development would be served off an access road to Treherbert Industrial Estate that currently serves an existing PVC window manufacturer. The carriageway fronting the site measures 7.4 metres in width with no parking restrictions, a 1.8 metre footway on the development side and a 2.5 metre shared community route on the opposite side. The existing permission for the recycling centre required traffic calming along the access road which has been implemented and reduces speeds to in the region of 20mph which is acceptable to serve the proposed development and the existing Community Recycling Centre.

### Visibility

In accordance with TAN 18 and Manual for Streets the required visibility from the unnamed road onto the industrial link road is 2.4m x 22m for a 20mph speed limit and 2.4m x 40m onto Baglan Street for a 30mph speed limit.

Both access points have visibility splays in excess of the requirement and are therefore satisfactory for safe access.

### Parking

The proposed re-use-shop requires up-to a maximum of 2 off-street car parking spaces in accordance with the SPG Access, Circulation & Parking 2011 with 8 provided which is acceptable subject to a vehicular crossover being constructed for safe vehicular and pedestrian movement.

The proposed development therefore satisfies highway safety and parking in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

## **Public Health and Safety**

No objections have been received from the Council's Public Health and Protection Division in respect of the application; they did however suggest a number of

conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, dust and waste matters can be more efficiently controlled by other legislation. Therefore, highlighting them by means of an informative note attached to the decision notice is considered appropriate.

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

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development (main use recycling centre) as set out in the Charging Schedule is £nil and therefore no CIL is payable.

### **Conclusion**

The principle of the proposed development is considered to be acceptable and there are no significant concerns with regard to the impact it would have on the character and appearance of the surrounding area, the residential amenity and privacy of neighbouring properties or upon highway safety in the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5, AW6 and AW10).

### **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

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)

- AM5587\_01\_04 – Received 13/11/18
- AM5587\_01\_02B – Received 13/11/18
- AM5587\_01\_03 – Received 13/11/18
- AM5587\_01\_02 – Received 13/11/18

and documents received by the Local Planning Authority on 13/11/18 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

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