



PLANNING & DEVELOPMENT COMMITTEE

20 MAY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1145/10 (JE)
APPLICANT: Mr C Davies
DEVELOPMENT: Retention and completion of single storey rear extension, retention of first floor raised rear balcony, change of use of stock room to click and collect store and single storey extension. (Amended Plans Received 05/04/21)
LOCATION: CARPENTERS ARMS PUBLIC HOUSE, HEOL FFRWD PHILIP, EFAIL ISAF, PONTYPRIDD, CF38 1AR
DATE REGISTERED: 28/10/2020
ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: Approve, subject to conditions

REASONS: The application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the potential impact it would have upon the amenity and privacy of the neighbouring residential properties and highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

The application is reported to Committee as it proposes the extension of a public house.

APPLICATION DETAILS

Full planning permission is sought for the retention and completion of a single storey rear extension, retention of a raised first floor balcony, change of use of stock room to click and collect store and the construction of single storey extension at Carpenters Arms Public House, Heol Ffrwd Philip, Efail Isaf.

The proposed single storey extension measures a width of 6.8 metres by a depth of 12 metres and has been constructed at the site of the beer garden alongside an existing rear projection. The proposed extension has a flat roof design measuring a maximum height of 2.5 metres. The extension would have bifold doors on its rear elevation and a new opening would be created on the external wall of the public house to allow access into the area.

The raised balcony is located above the extension at the rear of the property and is used as part of the residential owners flat on the first floor with access gained via French doors on the rear elevation. The raised balcony measures a width of 6 metres and protrudes outwards to a depth of 4 metres. The proposed balcony has been constructed from composite decking and benefits from 1.6 metre high opaque glass privacy screens on its side elevations and a glass balustrade along the rear.

The proposed single storey extension would be located to the rear of the existing projection along the boundary with Ffordd Y Capel. This extension would measure a width of 3 metres to match the existing arrangement and would extend outwards to a depth of 4 metres. The proposed extension would have a dual pitched roof design to match the existing arrangement measuring a maximum height of 3.23 metres sloping to 2.1 metres at the eaves. The extension would be used in associated within an existing storeroom to provide an area to facilitate a click and collect store serving the local community.

SITE APPRAISAL

The application property consists of an established public house located within the village of Efail Isaf. The site is located on the corner of Heol Ffrwd Philip and Ffordd Y Capel which are the main highways through the village. The public house is located towards the south west of the plot and is accessed from Heol Ffrwd Philip with a car park at the rear accessed from Ffordd Y Capel. The public house benefits from a residential flat at first floor level which is accessed from the rear. At the time of the Officer's site visit work on the rear extension had commenced with the wooden framework and roof in place and the area being used as a covered beer garden.

The surrounding area is residential in nature and is characterised by a number of property types.

PLANNING HISTORY

The most recent planning applications on record associated with the site are:

20/0540/09: CARPENTERS ARMS PUBLIC HOUSE, HEOL FFRWD PHILIP, EFAIL ISAF, PONTYPRIDD, CF38 1AR

Lawful development certificate for a use class of A3 and A1.

Decision: 09/10/2020, Refuse

PUBLICITY

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

One letter of objection has been received following consultation with neighbouring occupiers. The points raised have been summarised below:

- Loss of privacy from balcony.
- Noise and disturbance from public house – complaints have been logged with Public Health.

- Patrons of the public house now use the car park as a smoking area as this has been removed and replaced by the proposed extension. This has created additional noise and could result in safety hazards.
- Lack of sound insulation in the walls, roof or entrance.
- Addition has resulted in an adverse impact upon the area and has increased antisocial behaviour.

CONSULTATION

Transportation Section: No objection or conditions suggested.

Public Health and Protection: No objection, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy CS2 - sets out criteria for achieving sustainable growth.

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 placemaking, including landscaping.

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

National Guidance

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

Planning Policy Wales (Edition 11) (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of all planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Furthermore, given the minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Other policy guidance considered:

PPW Technical Advice Note 4 – Retail and Commercial Development

PPW Technical Advice Note 11 – Noise

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 23 – Economic Development

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

The application relates to an extension and alterations within the curtilage of an existing public house within the settlement boundary for Efail Isaf. The proposals are required to improve existing commercial and residential facilities at the property. Taking this into account, the principle of proposed development is considered acceptable, subject to the criteria set out below.

Impact on the character and appearance of the area

Whilst the proposed extension forms a large-scale addition to the property, it is located to the rear of the building alongside an existing rear projection. As such, when considering the scale of the existing building and the dimensions of the proposed extension, it is considered the proposal forms a sympathetic addition and does not significantly impact upon the appearance of the property. In addition, it is not considered the proposed extension, given its siting and dimensions, would form a feature that would be widely visible from outside of the immediate vicinity.

When considering the first floor rear balcony, given its location set back from the rear elevation of the extension and siting alongside a pitched roof which acts as screening, the balcony does not form a prominent feature along Ffordd Y Capel in the vicinity of the site. Whilst the balcony is visible from the rear of the site, its location above an existing roof structure and the use of glass balustrades/ screens does not create a

dominant or incongruous addition. As such, it is considered that the balcony has a minimal impact upon the appearance of the public house.

In relation to the proposed single storey extension to form a click and collect shop. This addition is a small scale and sympathetic addition to the public house that is not considered to result in any adverse impact upon the character and appearance of the application site or surrounding area.

Taking the above into account, the application is considered acceptable in this regard.

Impact on residential amenity and privacy

The objector has raised a number of concerns with regard to noise and disturbance created by patrons of the public house since the construction of the proposed extension. Whilst comments are acknowledged, when considering that the proposed extension is located at the site of what was previously used as a beer garden, the proposal would not bring patrons closer to residential properties and would actually reduce noise with customers now being enclosed within the building, resulting in a betterment to the existing arrangement.

With regard to the balcony, concern has been raised in relation to a loss of privacy. Members should note that the balcony has been in place since 2018 and has been constructed with opaque glass privacy screens along its side elevations which restrict the most harmful opportunities for overlooking. Whilst it is noted that the balcony does allow for outlook opportunities to north east, the majority of these views would be outwards over the carpark with no. 24 Ffordd-Y-Capel which is separated by approximately 33 metres. It is suggested by the objector that the balcony results in the loss of privacy to properties along Waun Hir which are located to the east. However, when considering the relationship between the properties at an oblique angle and separated by a minimum of 18 metres from the balcony, it is not considered that any overlooking impact is significant enough to warrant a refusal of the application. Additionally, a condition has been added below to ensure that the privacy screens remain in perpetuity which will ensure any impact is kept to a minimum.

In relation to the proposed single storey extension, this would form a minimal addition to the site that would be separated from the closest neighbouring property by 14 metres. As such, it would not result in any adverse overbearing impact. With regard to additional comings and goings associated with the proposed use as a click and collect store, when considering the minor scale of the proposed use and the existing use of the site as a public house, it is not considered that the proposal would exacerbate existing noise and disturbance levels that currently occur.

Taking the above into account, the application is considered acceptable with regard to its impact upon residential amenity and privacy.

Highway Safety

Concerns were raised by the objector with regard to highway safety. As such, the Council's Transportation Section were notified during the consultation process in order to provide comments with regard to highway safety and parking provision. In their

assessment of the scheme the Transportation Section commented that the existing public house benefits from a large parking area to the rear accessed via Ffordd-y-Capel and that the proposed development will have no impact to the size of the available parking area. Additionally, it was commented the proposed development is small in scale and as such it is not envisaged it would result in any undue detriment to highway safety or the free flow of traffic.

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

Public Health and Protection

The Council's Public Health Division acknowledged the noise complaints referenced by the objector and commented that one complaint was received from a neighbour regarding noise from patrons of the Carpenters Arms in the outdoor seating area. As such a noise monitor was installed and the complainant made a few recordings on which the noise (voices, shouting etc.) could be heard. It was also suggested however that as the complaints have been linked to the outdoor seating area, the proposed extension may help in negating the issues. It was also noted that any future complaints from outside noise could be more effectively controlled by licensing and statutory nuisance routes. As such no objections were or conditions in this respect suggested.

The Council's Public Health and Protection Division did however suggest a number of conditions with regard to hours of operation, noise, dust and waste during construction. Whilst these comments are appreciated, it is considered that these matters can be dealt with more efficiently under separate legislation. As such, it is considered the conditions are not necessary and an appropriate informative note would be sufficient instead.

Other issues raised by objectors

The objector also raised concerns that the proposed development has led to patrons of the pub using the car park as a smoking area and has resulted in an increase anti-social behaviour. Whilst these points are noted, Members are advised that the public house are entitled to use this area as a beer garden without planning permission and that any noise/disturbance issues experience as a result of this could be controlled more effectively by licensing/public health legislation.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

It is not considered that the proposal would have any undue impact upon the character and appearance of the locality, the residential amenity of the surrounding 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.

RECOMMENDATION: Approve, subject to conditions

1. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)
 - Rear Elevation “To-Be”
 - Ground floor “To-Be”
 - Roof Plan “To-Be”
 - Side Elevation “To-Be”

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

2. The privacy screens erected along both side elevations of the first floor balcony hereby approved shall remain in place and obscure in nature in perpetuity.

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