

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2015-2016**

**DEVELOPMENT CONTROL  
COMMITTEE  
18 FEBRUARY 2016**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	<b>Agenda Item No.6</b>
<b>APPLICATIONS RECOMMENDED FOR APPROVAL</b>	

**1. PURPOSE OF THE REPORT**

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

**2. RECOMMENDATION**

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

1. Application No: 15/1441 - Change of use from sandwich shop (A1) to takeaway restaurant (A3), 32 Oxford Street, Mountain Ash.
2. Application No: 15/1519 - Demolition of southern tower, Cwm Works, Windsor Gardens, Beddau, Pontypridd.

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## APPLICATIONS RECOMMENDED FOR APPROVAL

**APPLICATION NO:** 15/1441/10 (MF)  
**APPLICANT:** Mrs Amily Akhter  
**DEVELOPMENT:** Change of use from sandwich shop (A1) to takeaway restaurant (A3)  
**LOCATION:** 32 OXFORD STREET, MOUNTAIN ASH, CF45 3HB  
**DATE REGISTERED:** 16/12/2015  
**ELECTORAL DIVISION:** Mountain Ash West

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**RECOMMENDATION:** Approve

**REASONS:** The principle of the change of use is acceptable and it is not considered that the proposed use would have a significant impact upon the amenity of the neighbouring properties or highway safety in the vicinity of the site.

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

This application is reported to Committee by the request of Councillor Morgan in order to assess the impact of the proposed use upon the amenity of the surrounding properties and to consider whether the introduction of a further takeaway along Oxford Street would lead to a proliferation of A3 uses in the town centre. It is also noted that 4 letters of objection have been received.

### **APPLICATION DETAILS**

Full planning permission is sought for the change of use of 32 Oxford Street, Mountain Ash from a sandwich shop (A1) to a hot food takeaway (A3). The change of use would be undertaken wholly within the building itself, no external alterations are proposed with the existing shop front and access being retained.

The applicant has indicated that the premise would be open to members of the public between the hours of 5pm to 11pm each day, employing 3 full time and 2 part time members of staff.

The application is accompanied by the following:

- Design and Access Statement.

It is noted that no details of any proposed extraction equipment have been submitted with the application. Therefore if the applicant proposes to erect any at the property

in connection with the proposed use, they would be subject of a separate planning application.

## **SITE APPRAISAL**

The application property is a two-storey, mid-terraced commercial building located on the main high street through Mountain Ash town centre. The unit was previously occupied by a sandwich shop but has been vacant for some time. The property benefits from an aluminium shop front at ground floor level with a more residential appearance above. Being in a town centre location, there are a variety of differing uses within the vicinity of the site including a number of similar hot food takeaways to that proposed.

## **PLANNING HISTORY**

Previous planning applications submitted at the site:

08/0367	32 Oxford Street, Mountain Ash	Change of use from mortgage advice shop (A2) to sandwich shop (A1)	GTD 28/05/08
91/0351		Change of use to include estate agency	GTD 17/07/91
90/0436		Change of use to mortgage advice bureau	GTD 29/08/90

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification and site notices. Four letters of objection have been received from occupiers of neighbouring properties along Oxford Street, making the following representations (summarised):

- There are already too many hot food takeaways in Mountain Ash. The proposed would lead to an over concentration of takeaways in the town.
- The proposed takeaway would have a detrimental impact upon highway safety with increased vehicles along Oxford Street and customers parking outside.
- The property does not meet the relevant building regulations to accommodate the proposed business.
- The proposed use may result in the town's drainage system getting blocked due to oil, grease, fat etc. being discarded into the sewers.

- The introduction of an additional takeaway operating in the evenings will exacerbate the existing antisocial behaviour problems in the town.

## **CONSULTATION**

Transportation Section – no objection, subject to conditions.

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 Mountain Ash and is within the Mountain Ash Retail Centre.

**Policy CS1** – sets out the criteria for development in the Northern Strategy Area.

**Policy AW2** – states that development on non-allocated sites will only be supported 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 would cause or result in a risk of unacceptable harm to health and/or local amenity.

**Policy NSA2** – sets out criteria for both residential and commercial development within the Key Settlements.

**Policy NSA12** – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries.

**Policy NSA18** – identifies the retail hierarchy for the Northern Strategy Area with Mountain Ash being classed as a Key Settlement. Supports retail development and Class A uses in the retail centre of Mountain Ash that would maintain or enhance the retail centre's middle position in the retail hierarchy.

**Policy NSA19** – considers retail and other Class A development in Principle Towns and Key Settlements. New and improved Class A facilities and other uses that are appropriate within the town centre will be permitted within the retail centre of Mountain Ash subject to certain criteria.

### **Supplementary Planning Guidance**

- Design and Placemaking;
- Access, Circulation and Parking Requirements;
- Design in Town Centres.

### **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 (8th Edition, January 2016)**

Planning Policy Wales Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 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.

### **Principle of the Proposed Development**

This application seeks the change of use of a commercial premise within the retail centre of Mountain Ash from a sandwich shop (A1) to a hot food takeaway (A3). Policy NSA18 permits proposals for Class A uses in retail centres providing the use maintains or enhances the centre's position in the retail hierarchy. Additionally, Policy NSA19 further supports Class A uses in retail centres that add vitality and viability by attracting footfall that benefits both the daytime and evening economy.

Whilst it is acknowledged that there are already a number of hot food takeaway units within Mountain Ash, approximately 12% of all premises within the retail centre, there is no policy basis for resisting a further A3 use in the retail centre despite the proliferation concerns raised by objectors. The over concentration of A3 uses criterion set out in Policy NSA19 only applies to Aberdare town centre and there is also nothing to this affect set out within Planning Policy Wales. It is noted that the applicant only proposes to operate the business between the hours of 5pm to 11pm whereby there would be no contribution to the daytime economy, unlike A1 and A2

uses, however, the Council cannot oblige the takeaway to be open during the daytime and it is considered that an occupied but closed during the daytime unit is arguably better for the vitality and viability of the town centre than the currently vacant unit.

Consequently, it is considered that being sited within the retail centre of the town, an appropriate and sustainable location for a hot food takeaway, the change of use will make a valuable contribution to the local area, representing welcomed investment in the town and complying with the objectives of Policy CS1 which seeks to promote sustainable growth within the northern strategy area, particularly by reusing vacant and under used buildings.

As such, it is considered that the change of use would be compliant with relevant policies set out in both the Rhondda Cynon Taf Local Development Plan and Planning Policy Wales and the development is acceptable, in principle, subject to the criteria set out below.

### **Residential Amenity**

The proposal will utilise an existing commercial unit that is located within a terrace of commercial properties in the retail centre of the town. As such, the majority of surrounding properties are commercial in nature including both adjoining properties which operate as a butchers shop and a hot food takeaway respectively. It is therefore considered that any potential impact in respect of amenity would mainly occur upon business premises and given the fact the application premise would only be open during the evening when most surrounding properties are closed, it is not considered that the change of use would significantly affect the operation of the neighbouring businesses.

It is acknowledged that the streets to the rear of Oxford Street are occupied predominantly by residential units and that unrestricted Class A3 uses do have the potential to be harmful to the amenities of dwellings due to increased levels of noise/disturbance/anti-social behaviour and odours. However, the adjoining property, 31 Oxford Street, as well as a number of others along Oxford Street, have operated as a hot food takeaways for some time and these operations have not resulted in any complaints by neighbouring properties in these respects. Therefore, it is not considered the proposal to operate a takeaway at the application property would be significantly different to the existing use at no. 31 and numerous other properties along the street and as such, it is not considered that the proposed change of use would have any further impact upon the amenity of the nearest residential properties or would encourage any further anti-social behaviour in the area in comparison to that which already occurs. It is also considered that within retail areas there is a general level of activity that is greater than that in solely residential areas and residents residing in such areas accept that this is a consequence of living in a town centre. It is also noted that following consultation, no

adverse comments have been received from the Councils Public Health and Protection Division in their observations to the proposal.

Consequently, whilst it is acknowledged that there will inevitably be a degree of impact from the additional takeaway in this respect, on balance, it is not considered that the proposed operation of the unit under Class A3 would result in the amenity of the occupiers of the surrounding properties being materially affected to a degree that would warrant refusal of the application. It is however considered a condition (*condition 5*) should be added to any consent to restrict the opening hours to that suggested by the applicant to ensure this is the case. The application is therefore considered acceptable in this regard, subject to the conditions detailed below.

### **Highway Safety**

Following consultation, the Council's Transportation Section commented that the property is located in a sustainable location at the heart of the Mountain Ash retail centre, close to various public transport hubs and local amenities as well as public car park sited opposite. Further, it is noted that there is a loading bay to the front of the property which will allow the property to be serviced without unduly affecting highway safety. It is therefore considered that the development would not have any adverse impact in regards to pedestrian or highway safety and no highway objections have been raised. Consequently, whilst the concerns raised by the objectors in this respect are noted, the application is considered acceptable in respect of its potential impact upon highway safety in the vicinity of the site.

### **Visual Impact**

As previously detailed, the conversion will be facilitated by internal alterations wholly within the fabric of the existing building only. As such, there will be no impact upon the visual amenity of the surrounding area and the application is considered acceptable in this regard.

### **Other Issues**

It is noted that an objector has commented that the proposed use may lead to waste materials being discharged into the local sewerage system exacerbating the existing overcapacity issues in the area. However, it is considered this issue can be overcome through the installation of specialist grease trap equipment and therefore a condition (*condition 4*) to this affect can be added to any consent.

It is also noted that an objector has commented that the property does not meet the current Building Regulations. However, this is not a material planning consideration and would be assessed through a future Building Regulations application should this planning application be approved.

### **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**

The application represents an appropriate change of use of an existing commercial premise within a town centre location. Furthermore, it is not considered the use would have a significant impact upon the amenity of the surrounding properties or upon highway safety in the vicinity of the property. As such, the application is considered to comply with the relevant policies of the Local Development Plan.

### **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 plans ref. Site Location Plan and A02 and documents received by the Local Planning Authority on 28/10/15, 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.

3. Prior to commencement of any development on site, a scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the beneficial operation of the business and shall remain in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of surrounding properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to commencement of any development on site, details of a system to prevent waste cooking oil, fats and grease and solid waste from entering

the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the beneficial operation of the business and shall remain in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the integrity of the foul drainage system in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

5. The takeaway hereby approved shall not be open to the public other than between the hours of 17:00 to 23:00 Mondays to Sundays.

Reason: To protect the amenities of the occupiers of nearby properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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**APPLICATION NO:** 15/1519/12 (GD)  
**APPLICANT:** CPL Industries Ltd  
**DEVELOPMENT:** Demolition of southern tower.  
**LOCATION:** CWM WORKS, WINDSOR GARDENS, BEDDAU,  
PONTYPRIDD CF38 2PY  
**DATE REGISTERED:** 11/01/2016  
**ELECTORAL DIVISION:** Llantwit Fardre

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**RECOMMENDATION:** That Members support the granting of Listed Building Consent for the proposed development.

**REASONS:**

The proposed development represents a rational response to current circumstances the southernmost tower having collapsed and offers the best opportunity for the retention of the remaining tower in the longer term.

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**REASON APPLICATION REPORTED TO COMMITTEE**

- As the proposal relates to a Grade II\* listed building it is not covered by determination powers delegated to Service Director Planning;

**APPLICATION DETAILS**

The current proposal seeks listed building consent for the demolition of the collapsed southern tower at the former Cwm Coke Works, Ty Nant, Beddau and the removal of the debris from the site. The tower was destroyed by storm damage in early 2015.

The application is accompanied by the following:

- A conservation report
- Design and Access Statement

## **SITE APPRAISAL**

The application site in this case comprises a rectangular area of land of some 97.75 square metres comprising the footprint of 8.5m x 11.5m the grade II\* listed cooling tower that has collapsed. The cooling tower site is located towards the northern end of the former coke works site and is currently read as part of the buildings, plant and machinery that form the redundant works.

The towers were built in the late 1950's and were used to cool water used in the process of recovering chemicals from gases as a by product of the coking process. The towers were originally built as a group of three however, what was the northernmost tower was blown over in the 1980's and replaced with a smaller steel parabolic tower.

The tower stood approximately 21m high and was known as the southern "salthouse" tower. The tower had an external stair leading to a gantry level set above internal packing of closely spaced timber laths. The two towers were connected via pipes to the adjacent chemical plants.

Access to the site is from the B4595 and then via the private access road that lies along the western boundary of the coke works.

The wider site comprises the former coke works, former colliery site and associated tips and amounts to a total area of some 89.3 hectares. Beddau and Tynant sit either side of the coke works site with Llantwit Fardre and Church Village further to the east.

## **PLANNING HISTORY**

The wider application site has an extensive planning history, however the following applications are those most relevant in the determination of the current application.

10/1118	Development of fencing, remediation, repair and maintenance works to retain grade II* listed cooling towers in a parkland setting.	Approved 23/04/14
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|---------|---|---|
| 04/1360 | Demolition and remediation of site, residential redevelopment (630 units use class C3) 1788 square metres commercial space (use class B2) community uses, landscaping, open space and revised access                                  | Appeal against non determination dismissed 19/07/07 |
| 04/2306 | Complete demolition of listed cooling towers including documentation of structures prior to and during demolition and removal (Listed Building Consent Application)<br>Recovered for determination with application 04/1360 at appeal | Appeal dismissed 19/07/07                           |

## **PUBLICITY**

The application has been advertised by means of press notice, site notices and neighbour notification letters and no observations or objection have been submitted as a result of this exercise.

## **CONSULTATION**

Glamorgan Gwent Archaeological Trust - "In our role as archaeological advisers to your Members we recommend that two conditions be attached to any consent ensuring that archaeological and architectural investigations are carried out to mitigate the impact of the proposed development."

Council for British Archaeology – would prefer to see the retention and repair of the southern tower but understand the pragmatic issues with this case and the permission that has been granted to redevelop this difficult site. It is noted that all context will be lost through the redevelopment and it is therefore more important to protect, repair and retain the northern tower as it may now be unique in the UK. A condition to secure restoration works to the northern tower if consent for the removal of the southern tower is to be granted.

Archaeological recording of what is left of the tower is recommended before it is removed, along with a watching brief during demolition in order to record any construction techniques that may become more obvious during the removal of the material.

As permission has been granted for the redevelopment of the site some interpretation of the industrial heritage of the site, including information about the cooling towers, should be provided to ensure that the significance of the site and the technology is understood by future users and visitors. It is suggested that this too could be the subject of an appropriate planning condition.

All other relevant historical societies have been consulted in respect of the current proposals but none have responded.

In addition to the above, The Association of Industrial Archaeology have also elected to comment on the proposals expressing dismay that the structure has been allowed to deteriorate to its current condition and supporting the comments of the Council for British Archaeology reported above.

## **POLICY CONTEXT**

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

**Policy SSA7** - Identifies the site as one of the Council's Strategic Sites for comprehensive redevelopment.

**Policy AW7** – Aims to protect and enhance the built environment by requiring that development proposals should preserve or enhance the appearance of the site when matters relating to listed buildings are considered.

**SPG:** The Historic Built Environment (March 2016)

### **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 (8th Edition, January 2016)**

Chapter 2 (Development Plans),  
Chapter 3 (Making and Enforcing Planning Decisions),  
Chapter 6 (Conserving the Historic Environment),

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

Other relevant policy guidance consulted:

Welsh Government Circular 61/96 Planning and the Historic Environment.

Welsh Government Circular 1/98 Planning and the Historic Environment.

## **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.

However, in this instance even though the local development plan makes reference to the historic environment through policy AW7 the requirement is not as binding as it would be in the case of a conventional planning application and in this instance a considered approach to the prevailing circumstances is clearly required.

### **Main Issues:**

The key issues in the determination of this application for listed building consent for the demolition of a grade II\* listed building are how well the proposals stand up to the tests set out in the above mentioned circulars, the particularly dire condition of the collapsed tower and what might be achieved in mitigation if Listed Building Consent is granted.

Sections 16 and 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 require special regard to be given to the desirability of preserving listed buildings or their settings, or any features of special architectural or historic interest which they possess. The circular sets out the process for dealing with proposals relating to historic buildings having regard to the legislative requirements.

Circular 61/96 at paragraph 68 states that the listing of a building should not be a bar to all future change, and that the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.

At paragraph 69 Circular 61/96 places a requirement on the applicant to justify their proposals, they are obliged to show why works which would affect the character of a listed building are desirable or necessary, and to provide the local planning authority with full information to enable them to assess the likely impact of the proposals on the special architectural or historic interest of the building and its setting.

Though a case could be made in this instance for the eventual reconstruction of the collapsed tower in this instance and with an element of reluctance officers share the view expressed by the Council for British Archaeology reluctantly accepting the case for its removal subject to appropriate mitigation in the form of appropriate repair to the remaining tower. It is also noteworthy that the archaeological trust seem to be accepting of the fact that the collapsed tower might be removed insisting only on conditions that would mitigate the impact of such actions.

The main points here are the key tests as set out in the relevant circular 61/96 planning and the historic environment and these are dealt with in turn below.

Paragraph 91 of the circular advises that demolition of grade 1 or grade II\* listed buildings should only occur in exceptional circumstances and require the strongest justification and should be supported by evidence that all reasonable efforts have been made to sustain existing uses or find new viable uses and these efforts have failed, preservation in charitable or community ownership is not possible or suitable, or that redevelopment would produce substantial benefits for the community which would outweigh the loss of the building.

*The condition of the building the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use:-* The condition of the building is that it has collapsed and is in reality no longer a building more an unstructured pile of wood. However, it was a building of high importance due to its rarity being one of only two surviving examples in the whole of the country. Given its current condition it is effectively beyond repair and in this case repair would amount to the practical rebuilding of the structure using the existing material where possible though given the condition of much of that material there would be a substantial introduction of new wood. Furthermore the building in its collapsed state has clearly moved beyond the requirements of the repair methodology agreed under Listed Building Consent Ref No. 10/1118. It should also be noted that the structure did not have a use at the time of its collapse and would not have been in use since the closure of the coke works in 2002. As such its use was discontinued in 2002 with no realistic hope of it ever being reinstated. Given its specialist nature and specific purpose it could not be put to a new use, and these factors also have to be taken into consideration along with the clear rarity and to some extent anachronistic quality of the structure. The nature of the building does not raise the issue of future rents or yields as it could only ever be preserved as what it is/was, and there does not appear to be any tax exemption or grant available that would aid its reconstruction. It is also advised that *in those cases where it is clear that the building has been deliberately neglected, less weight should be given to the cost of repair*, whilst the building was left for a number of years prior to its collapse some temporary measures were applied to try to prevent the ingress of air which caused the collapse these though proved unsuccessful.

*The adequacy of efforts made to retain the building in use:-* As the building could only function as part of a wider whole – it was part of the cooling mechanism used in the extraction of gases and chemicals in the coking process – it would be impossible for it to independently comply with such a requirement and to insist on the applicant addressing this issue could only be construed as unreasonable.

*The merits of alternative proposals for the site:-* In this instance there are no proposals to redevelop the site of the tower itself though the wider site is the subject of outline planning permission for reclamation and subsequent residential development. As such there is no need in this instance to consider the incorporation of the listed building within a new design (as difficult as that might have been in the context of a wider residential development though the illustrative layout associated

with this consent did indicate a parkland setting around both towers). In this instance this matter takes the issue back to whether or not the site should be cleared or the structure rebuilt.

Whilst there is some sympathy for the view that allowing demolition and removal of the tower would lead to a loss of group value and a loss of context the reality here is that it represents only a further loss of context given the wider site will be developed for residential purposes and the fact that the site will never again function as a whole coking plant. As such only limited weight can be given to this argument.

Whilst the report supporting the current application alludes to the potential for the rebuilding of the structure in its current location in the longer term, the application is expressed only in terms of the demolition and removal of the material from and the application has to be considered on that basis.

## **Conclusion**

In conclusion, whilst in many respects the rebuilding of the tower would be desirable, in this instance given the established lack of context and the fact that the tower could not be brought back into any beneficial use leads to a conclusion that on balance, a pragmatic solution is required in this case. Consequently, it is recommended that Cadw be advised that the Council as Local Planning Authority are minded to support the demolition of that part of the tower that remains on site and the removal of all material including the sump of the structure from the site.

### **RECOMMENDATION: Grant subject to Cadw raising no objection to the proposals.**

1. The development hereby granted consent shall be begun not later than the expiration of five years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. No Site works shall be undertaken until the implementation of an appropriate program of building recording and analysis has been agreed with the local planning authority, to be carried out by a specialist acceptable to the local planning authority and in accordance with an agreed specification.

Reason: As the building is of architectural and cultural significance the specified records are required to mitigate the impact of the development.

3. No development shall take place until the applicant, or their agents or their successors in title, has secured the implementation of a program of



archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

4. No development shall take place until an investigation and risk assessment of the nature, scale and full extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site.

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

5. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended end use by removing unacceptable risks has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remediation options and proposal of the preferred option, along with a timetable of works and site management procedures.

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

6. Within three months of the completion of the measures identified in the approved remediation scheme, a verification report which demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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

7. No development shall take place until a monitoring and maintenance scheme, to include monitoring the long term effectiveness of the proposed remediation has been submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of health and safety and so as to accord with policy

AW10 of the Rhondda Cynon Taf Local Development Plan.

8. 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.

9. Prior to the commencement of works a scheme of odour/fume control shall be submitted to and approved in writing by the Local Planning Authority. The building/premises shall thereafter only be operated in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of adjoining properties in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall take place until a scheme which specifies the provisions to be made for the control of airborne dust emanating from the site during the development associated with the grade II\* listed cooling towers has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented through the course of the works associated with the development hereby approved.

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

11. No development shall take place until a scheme specifying the provisions to be made for the control of noise emanating from the site during the development associated with the grade II\* listed cooling tower has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented through the course of the works associated with the development hereby approved.

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

12. Within 3 months of the date of this consent, details of a programme of repair and restoration of the remaining tower shall be submitted for the

agreement of the Local Planning Authority. Within 6 months of the Local Planning Authority agreeing such a programme of works all agreed repairs and restoration shall be completed.

Reason: To secure the future of the remaining tower in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.--Enter text here

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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 FEBRUARY 2016**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATIONS RECOMMENDED  
FOR APPROVAL**

**OFFICER TO CONTACT**

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

**See Relevant Application File**