

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-2017:

**DEVELOPMENT CONTROL
COMMITTEE
5 JANUARY 2017**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 7
APPLICATIONS RECOMMENDED FOR REFUSAL	

1. PURPOSE OF THE REPORT

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

2. RECOMMENDATION

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

1. Application No. 15/0441 - Erection of Petrol Filling Station, forecourt and canopy, convenience store with Subway and 2 ATMs, 3 jet washes, 2 service bays, underground fuel tanks. Starbucks Drive Thru Coffee Shop, Mother Hubbards Fish and Chip Shop, parking and landscaping. 24 Hours, Land At Heol Coleg, Parc Nantgarw, Nantgarw, Cardiff.

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APPLICATIONS RECOMMENDED FOR REFUSAL

APPLICATION NO: 15/0441/10 (PB)
APPLICANT: Euro Garages Ltd.
DEVELOPMENT: Erection of Petrol Filling Station, forecourt and canopy, convenience store with Subway and 2 ATMs, 3 jet washes, 2 service bays, underground fuel tanks. Starbucks Drive Thru Coffee Shop, Mother Hubbards Fish and Chip Shop, parking and landscaping. 24 Hours
LOCATION: LAND AT HEOL COLEG, PARC NANTGARW, NANTGARW, CARDIFF, CF15 7TR
DATE REGISTERED: 18/12/2015
ELECTORAL DIVISION: Ffynon Taf

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RECOMMENDATION: REFUSE

REASONS: The application site is located on Parc Nantgarw which, together with Treforest Industrial Estate, is a regionally important location for Class B1, B2 and B8 development, close to the A470 trunk road and the M4 motorway. Moreover, the application site is the most prominent position within that location, at the main entrance to it. In this context, the application site should not be used for ancillary road-related services, and it should have a landmark or marker building that marks the entrance to Parc Nantgarw and complements the quality of the college building behind. For these reasons the proposal fails satisfy LDP policies SSA 27 and AW6. In addition, the proposal fail to adequately demonstrate that the risks from flooding can be overcome therefore conflicts with LDP policy AW10. Consideration has been given to the economic benefits of the development in terms of job creation, regeneration of a vacant site, and the plentiful supply of other Class B1, B2 and Class B8 elsewhere in the County Borough though none is of sufficient weight to override the concerns that have given rise to the recommendation of refusal.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to Service Director Planning.

APPLICATION DETAILS

Planning permission is sought for a mixed development of vacant land at Heol y Coleg, Parc Nantgarw. The proposed development with comprise the elements described below.

- Petrol filling station, forecourt and canopy, with an associating convenience store incorporating a Subway food and drink outlet, 2 ATMs (cash dispensers), 3 jet washes and 2 service bays and underground fuel tanks. This is the primary element of the overall development and would be located at the southern end of the site behind the boundary planting that screens the site from the memorial at the roundabout junction of Parc Nantgarw with Heol Crochendy and Oxford Street. The petrol station forecourt will comprise a concrete apron with 8 fuel filling pump islands, over which a canopy would be constructed measuring 30.5 m in length, 17m in width and 5.5m in height. To the west side of the forecourt it is proposed to erect a single storey building for use primarily as a convenience store (Use Class A1) associated with the filling station, incorporating 2 integral food and drinks retail counters and associated kitchen and preparation areas, one of which is to be occupied as a Subway franchise. Two ATMs would be incorporated into the facade fronting the forecourt. A unit and storeroom, capable of use independent of the convenience store is included in the building, though neither a use nor occupier is identified at this stage. Car parking for 16 vehicles and 3 cycle stands would be set out across the front of the building, and a dedicated delivery bay alongside one of the end elevations. To the opposite side of the forecourt from the building 3 jet washes and 2 service (tyre inflation/vacuum cleaning) bays would be set out.

The building would measure 47m in width by 14.2m in depth with a shallow sloping single plane roof to a height of 5.06m at one side and 4.07m at the other. The total floor space area of the building measures 668 square metres of which 490 sq. m would be dedicated to the convenience store and associating food outlets, and 178 sq m would be dedicated to the unit and store capable of independent use.

- Class A3 building and associated parking, to be occupied as Starbucks Drive-Through coffee shop. This would be located in the north-east corner of the site in proximity to the junction of Heol Coleg and Heol Crochendy. The coffee shop building would be of a contemporary single storey design with a metal standing seam roof. It would measure 27.7m in width, by 11.5m in depth by 5.8m in height to the highest point of the roof plane and would have a floor space area totalling 299 sq. metres. Parking for 41 cars and a drive-through lane would be set out as part of this element of the development.
- Class A3 Restaurant with associated car parking, to be occupied as a Mother Hubbard's fish and chip shop. This would be located in the north-east corner of the site to the rear of the nursery/crèche off Heol Coleg. This building also would be of a contemporary single storey design, with a shallow sloping profile roof, and would measure 21.5m in width, by 14.4m in depth and 5.5m in height to the highest part of the roof. The total floor space area would be

310 sq metres. Parking for 29 cars and a drive-through lane would be set out around the building.

The main access is off Heol Crochendy then via the existing service road Heol y Coleg. A new access spur road will provide vehicular access into the site with the Starbucks Drive-Through Coffee Shop on the left, the Mother Hubbard's Fish and Chip Shop on the right, and deeper into the site is the petrol filling station, with jet wash bays and service bays on the left and the convenience store with internal Subway unit and parking to the right.

The proposal will create 60 equivalent full-time jobs.

The application is accompanied by the following:

- Design and Access Statement:
- Transport Assessment
- Flood Consequences Assessment
- Parc Nantgarw: Commercial Property Market Review
- Planning Statement

SITE APPRAISAL

The application site comprises a fairly substantial plot of undeveloped plot of flat land at the very southern end of the Parc Nantgarw and Treforest Industrial Estate complex, which is characterised by a mix of industrial, office, educational, entertainment, leisure, and food and drink uses. The site is flanked on each of its boundaries by the existing highway network comprising Heol Crochendy to the east, Oxford Street to the west and Heol y Coleg to the north. A children's crèche operates from a building and land adjacent to the north-west corner of the site and is allied to the modern Coleg-y-Cymoedd educational building to the north. Both of these facilities have their accesses off Heol y Coleg. The residential properties to the application site are in a terrace fronting the southern end of Oxford Street though the site is largely screened from them by boundary trees.

PLANNING HISTORY

None for the application site itself, the planning history below relates to land immediately adjacent to the application site:

09/0961	Heol Crochendy, Parc Nantgarw.	Construction of new educational building including separate crèche and energy building with ancillary car parking and amenity spaces and 15m high wind turbine.	Approved 26/3/10
08/1753	Heol Crochendy,	Variation of conditions 9 (ground	Approved

	Parc Nantgarw	conditions) and 12 (engineering details of road layout) of planning permission 06/0200 for office development with associated car parking, external works, soft landscaping and access road.	23/1/09
06/0200	Heol Crochendy, Parc Nantgarw	B1 office development c,3730 sq ft net, with associated car parking, external work. Soft landscaping and access road (amended site location plan received 15/11/06).	Approved 19/12/06

PUBLICITY

Neighbouring properties notified, site notices erected and notice published in the Press.

5 replies received from members of the public, businesses/organisations and the Assembly Member for Pontypridd. The grounds of concern/objection are summarised below:

- Noise, disturbance, pollution, fumes and safety hazards caused by traffic, including from large delivery lorries and petrol tankers, to staff and children attending the adjacent nursery premises and on the access to the site, which is shared by the nursery that forms part of the adjacent Coleg y Cymoedd.
- High volume of traffic attracted by development will cause traffic congestion on the busy highway network around the site, especially at peak times.
- Nuisance and hazards from cooking smells, waste and litter.
- Parc Nantgarw already well served by sufficient fast-food outlets and petrol-filling stations so the proposed development is not needed.
- Development site deserves to be put to a better quality development, such as a business headquarters, offices, research facility, government department, college department, good quality hotel/conference centre suited in a prominent building.
- Development may discourage further growth and investment by other organisations/businesses on the Parc Nantgarw site.
- Roads and streets around site too hazardous for children to play outdoors; need for children's play facility in the area.

CONSULTATION

Transportation Section – no objection subject to conditions.

Flood Risk Management – no adverse comment, condition requiring pre-commencement submission and approval of drainage details recommended.

Public Health & Protection – provides comments and advice in respect of previous land use (contamination), petrol filling station permitting requirements, noise, dust, waste, lighting, odour, and fat, oil and grease pollution measures.

Natural Resources Wales – the application site lies entirely within Zone C1, as defined by the Development Advice Map (DAM) referred to under TAN 15: Development and Flood Risk (July 2004). The site is partially within the 1% (1 in 100 year) and entirely within the 0.1% (1 in a 1000 year) annual probability fluvial flood outlines of the River Taff. TAN 15 states that development must be flood free during the 1% (1 in 100 year) plus climate change event. NRW notes from the FCA that the proposed buildings will be flood free during the 1% (1 in 100 year) plus climate change event, and the intention to raise finished floor levels to 37.70 metres. This will involve lowering of the existing site levels to provide compensatory flood storage. Lowering the car parking areas to provide flood storage causes to issues:

- The depth of flooding in the car park hasn't been quantified, however based on NRW data the car parking areas would flood to a depth of 0.76 metres during the 1% (1 in 100 year) plus climate change event. Velocities for this event have not been included in the FCA but NRW considers this depth will represent a hazard in excess of 'danger' and this would not be appropriate.
- The lowered area would fill up rapidly during a flood and is not flood compensation in the true sense because the compensation provided to mitigate for the raising of buildings is not the same as the loss of flood storage. Level for level compensation needs to be provided.

NRW maintains its significant concerns relating to the application from a flood risk perspective because of these issues.

Dwr Cymru/Welsh Water – no objection.

Parks and Countryside – it is a large block of brown-field land, which has variously re-vegetated. Assuming it hasn't been completely cleared then consideration of nesting birds and reptiles will be needed during clearance works. Also consideration need of trees on site and removal of Japanese Knotweed and Himalayan Balsam if present.

Wales & West Utilities – no objection though identifies the proximity of its gas distribution infrastructure in relation to the development site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations, including:

- Sites within settlement boundaries;
- Sites where the use would not unacceptably conflict with surrounding uses;
- Sites with good accessibility by a range of transport means;
- Sites with no unjustified flood risk;
- Site where development would support Principal Towns.

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 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy SSA16 – defines the hierarchy of retail centre in the south (Strategy Area), which does not include Parc Nantgarw.

Policy SSA20 – Provision of park and ride/share facilities will be provided within a list of development sites, which includes land south of Makro, Parc Nantgarw.

Policy SSA27 limits Class A1 and A3 development in Treforest Industrial Estate/Parc Nantgarw to proposals that are complimentary and ancillary to the main Class B uses.

Supplementary Planning Guidance

Design and Placemaking SPG:

Paragraph 4.4.24 – states that new development should make use of landmark and marker buildings. Differing scale, materials and design can emphasise key locations and routes, helping people to find their way around as well as adding to the overall sense of place.

Paragraph 4.4.25 – states that at the entrance to development there is likely to be an opportunity for a formal gateway building or buildings to mark the entrance.

National Guidance

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

Planning Policy Wales Chapter 2 (Development Plans), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 10 (Planning for Retail and Town Centres) 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.

Particularly relevant to these proposals are:

Paragraph 10.1.1 which set out the Welsh Government's objectives for retailing and town centres including the promotion of town and other centres as the most appropriate location for retailing, leisure and complimentary uses.

Paragraph 10.2.1 gives ten criteria for retail, leisure and other town centre uses, including compatibility with Local Development Plan strategy, sequential approach to site selection, impact on centres, and accessibility by a variety of travel modes.

Section 13.4 deals with development management and flood risk.

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;
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;
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:

The principle of the proposed development

The chief components of this proposed development are set out in detail earlier in this report. However, to reiterate proposals are for:

- Petrol-filling station with 3 jet-wash bays, a convenience store (Class A1) and another A1 unit, including a Subway, totalling 668 sq m gross.
- Starbucks drive-through and sit-in coffee shop (Class A3) 229 sq m.
- Mother Hubbard's drive-through and sit-in fish and chip shop (Class A3) 310 sq.m.

The Design and Access Statement that accompanies the application clearly describes the proposed development as a mixed use, 'road-related' development

and located where there is an existing large traffic flow and where facilities for motorists are lacking.

LDP Policy SSA 27 is the most specific relevant development plan policy, which places the application site in an area where the priority land uses are those in Classes B1, B2, B8 and 'sui generis' employment-generating uses. Class A1 and A3 uses are specifically limited to complementary ancillary facilities. The substantial scale and prime position of the proposed service uses in this application indicates that they would not be complementary or ancillary to employment uses in the area. Rather pointedly, the Design and Access Statement explains that the proposals are for a "road related development", that is, not primarily related to the employment area, which therefore as a matter of principle brings the proposal into conflict with Policy SSA 27.

Design, Character and Appearance of the Development

The design and layout of the development would be very much characteristic of a roadside service station, with a petrol filling station and ancillary convenience food outlet, fast food restaurants all served by shared surface level car parking facilities. The buildings would be single story and of contemporary designs typical of the intended end users. In this regard the proposed development will be in stark contrast to the neighbouring development at the southern end of Parc Nantgarw which is characterised by large, modern, bespoke buildings that serve as significant landmarks.

LDP Policy AW6 supported by the Design and Placemaking SPG advocates making areas legible by provision of landmark and marker buildings. The application site is in a very significant location, both at the entrance to Parc Nantgarw from the A470, and at the junction where vehicular traffic from the A470 divides between Treforest Industrial Estate and Parc Nantgarw. The site lends itself to a landmark or marker building, which would benefit people in the area by making orientation (legibility) easier. The proposals do not provide a landmark or marker building and is out of character with neighbouring development at this location, which brings the proposal into conflict with Policy AW6.

Flood Risk

The application site lies entirely within Zone C1, as defined by the Development Advice Map referred to under TAN 15: Development and Flood Risk (July 2004). LDP Policy AW10 requires development to demonstrate that measures can be taken to overcome any significant adverse risk to public health and the environment caused by flooding. As mentioned earlier in this report, Natural Resources Wales has drawn specific attention to the significant degree of flood risk attached to the application site. In response to this identified risk the applicant has submitted a Flood Consequences Assessment which indicates an intention to raise the finished floors of the buildings and lower the existing site levels in the car parking areas to

provide compensatory flood storage. However, NRW has identified two key shortcomings with this approach set out in the applicant's FCA:

- The depth of flooding in the car park hasn't been quantified, however based on NRW data the car parking areas would flood to a depth of 0.76 metres during the 1% (1 in 100 year) plus climate change event. Velocities for this event have not been included in the FCA but NRW considers this depth will represent a hazard in excess of 'danger' and this would not be appropriate.
- The lowered area would fill up rapidly during a flood and is not flood compensation in the true sense because the compensation provided to mitigate for the raising of buildings is not the same as the loss of flood storage. Level for level compensation needs to be provided.

For these reasons NRW has raised significant concerns about the proposed development in relation to its consequences for flood risk and associated hazards. The proposal therefore fails to satisfy TAN 15 and LDP policy AW10.

Accessibility, traffic generation, highway safety and parking

As stated earlier in this report, the proposed development is located at the southern edge of Parc Nantgarw which is a mixed use business and leisure park that includes offices, educational and leisure facilities. The junction of Heol y Coleg and Heol Crochendy features a right turning lane into Heol y Coleg, which serves the adjacent college car park and crèche facility. Double yellow line markings are to be installed along Heol y Coleg in connection with another planning application and on road parking along Heol Crochendy is controlled via traffic management measures and appropriate parking restrictions.

A Transport Assessment has been provided in support of the application and this is discussed in greater detail below.

Trip Generation figures have been obtained from the TRICS database and a summary of trip generated is shown in table 6.8 which is reproduced below.

Table 6.8 – Total Proposed Development Trip Generation

WEEKDAY AM PEAK				WEEKDAY PM PEAK			
Starbucks Drive Thru	Arrivals	Departures	Total	Starbucks Drive Thru	Arrivals	Departures	Total
08:00-09:00 AM	23	19	42	16:00-17:00 PM	29	30	59
Mother Hubbard's Drive Thru	Arrivals	Departures	Total	Starbucks Drive Thru	Arrivals	Departures	Total
08:00-09:00 AM	24	20	43	16:00-17:00 PM	30	31	61
PFS with Retail	Arrivals	Departures	Total	Starbucks Drive Thru	Arrivals	Departures	Total

08:00-09:00 AM	151	149	300	16:00-17:00 PM	158	162	320
Car Wash	Arrivals	Departures	Total	Starbucks Drive Thru	Arrivals	Departures	Total
08:00-09:00 AM	3	1	4	16:00-17:00 PM	7	9	16
Total Trips Generated	Arrivals	Departures	Total	Total Trips Generated	Arrivals	Departures	Total
08:00-09:00 AM	200	190	390	16:00-17:00 PM	225	232	457

Trips by Type are summarised in table 6.9 reproduced below.

Vehicles	Weekday AM Peak (08:00 to 09:00)		Weekday PM Peak (16:00 to 17:00)	
	Arrivals	Departures	Arrivals	Departures
20% New	40	38	45	46
40% Pass-by	80	76	90	93
40% Divert	80	76	90	93
Total Trips	200	190	225	232

Having regard to the total trips by type shown in table 6.9 above and the low level of new traffic flows arising from the proposed development and the improvements recently undertaken at the Nantgarw roundabout interchange with the A468 and A4058 it is considered that the proposal is acceptable.

Turning to traffic growth, the trip rates derived and the base traffic flows have been subject to the TEMPRO growth factors for 2019 with and without the development as shown in Table 7.1 and 7.2 reproduced below:

Period	AM Peak	PM Peak
2013-2014	1.0041	1.0039

Period	AM Peak	PM Peak
2014-2019	1.00544	1.0536

The junction of Heol y Coleg with Heol Crochendy and the roundabout junction of Heol Crochendy/Cefn Coed/Caerphilly Road/Cardiff Road/Oxford Street have been assessed utilising industry standard software packages PICADY and ARCADY with the results summarised in tables 8.1 and 8.2 reproduced below:

	2014 Base	2019 Base	2019 Base + Development

	RFC	Q(pcu)	RFC	Q(pcu)	RFC	Q(pcu)
Heol y Coleg –Left	0	0	0	0	0.17	0.21
Heol Y Coleg –Right	0	0	0	0	0.40	0.66
Heol Crochendy - Right	0.02	0.2	0.02	0.02	0.11	0.13

Table 8.2 Junctions 8 PICADY Assessment Summary Results –PM Peak

	2014 Base		2019 Base		2019 Base + Development	
	RFC	Q(pcu)	RFC	Q(pcu)	RFC	Q(pcu)
Heol y Coleg –Left	0.01	0.01	0.01	0.01	0.14	0.16
Heol Y Coleg –Right	0.04	0.04	0.04	0.04	0.57	1.31
Heol Crochendy - Right	0.01	0.01	0.01	0.01	0.15	0.18

Table 8.3 Junctions 8 ARCADY Assessment Summary Results –AM Peak

	2014 Base		2019 Base		2019 Base + Development	
	RFC	Q(pcu)	RFC	Q(pcu)	RFC	Q(pcu)
Cefn Coed	0.04	0.04	0.04	0.04	0.04	0.05
Caerphilly Road	0.47	0.90	0.50	1.01	0.54	1.16
Cardiff Road	0.57	1.31	0.62	1.57	0.68	2.04
Oxford Street	0.41	0.68	0.44	0.77	0.47	0.87
Heol Crochendy	0.24	0.32	0.26	0.34	0.34	0.51

Table 8.4 Junctions 8 ARCADY Assessment Summary Results –PM Peak

	2014 Base		2019 Base		2019 Base + Development	
	RFC	Q(pcu)	RFC	Q(pcu)	RFC	Q(pcu)
Cefn Coed	0.24	0.31	0.25	0.34	0.28	0.38
Caerphilly Road	0.25	0.33	0.26	0.36	0.31	0.45
Cardiff Road	0.25	0.34	0.27	0.36	0.29	0.41
Oxford Street	0.34	0.52	0.36	0.57	0.39	0.65
Heol Crochendy	0.40	0.66	0.43	0.74	0.53	1.11

It is noted the design and assessment year and growth rates have been based on 2019 rather than the normal 10 year period to 2024, however as the ratio of flow to capacity (RFC) is well below 0.85 it is not anticipated that the RFC for the design year 2024 would approach or exceed a value of 0.85 and is therefore acceptable.

In terms of road safety the Transport Assessment states that a review of Personal Injury Accidents has been undertaken based on data held by the DfT for the year period 2011-2013 with the resulting area indicating a total of five accidents within the study area. All accidents being recorded as resulting in slight personal injury.

The assessment of Road Safety issues should be based on accident statistics held by the Welsh Government which are collected and collated by the police, the accident statistics for a five year period should be reviewed and additionally the A470 interchange with the A4054 and A468 and the junction at the northern end of Treforest Estate the A470 interchange with the A4054 and A473 should be included in the area considered as these busy junctions would be the main points of access and egress to the proposed development site from the strategic highway network.

Therefore the information provided in respect of Road safety Assessment is insufficient; which gives cause for concern. However, considering the limited new trips attracted to the proposed development this does not warrant a highway objection.

Turning to accessibility, the access to the development will be from Heol Crochendy which is the primary route through Parc Nantgarw and via Heol Y Coleg which also provides access to the College car park and crèche facility. The proposal indicates that an unused access formed off Heol Y Coleg will be improved to provide a 7m wide access to the development incorporating 2m footways on both sides. Heol Y Coleg is 7.3m wide with 2m wide footways on both sides and a vision splay of 2.4m by 40m in accordance with the requirements of TAN 18 can be achieved which is acceptable.

The provision for pedestrian access and circulation within the development site as shown on drawing number 1332 17 gives cause for concern as footways end abruptly adjacent to the vehicular access to the A3 Restaurant. A direct pedestrian route to the bus stop lay by located on Heol Crochendy would also significantly improve pedestrian accessibility and in the event of the proposal being considered acceptable a suitable planning condition can secure this requirement.

Cycle route facilities serve the adjacent college development which incorporates significant facilities for students utilising bicycles as a sustainable mode of transport and, in the event of the proposal being considered acceptable, the Transportation Section has suggested a planning condition to secure the provision of the shared use pedestrian/cycle path link to the memorial at the entrance to Parc Nantgarw which would provide connectivity to the wider cycle route network (Taff Trail). This has not been shown on the submitted drawing number 1332 17, which gives serious cause for concern, however, this can be secured by means of a suitable condition.

In terms of parking provision and requirements the development site is located within Zone 3 and therefore the parking requirements in accordance with the Council's SPG Access, Circulation and Parking (March 2011) are summarised in Table 1 below:

Table 1 Parking Provision.

Element	SPG Parking Required		Parking Provided	
	Non Operational	Operational	Non Operational	Operational
A3 Restaurant Drive Thru Coffee Shop (299 sq m)	22	1 Commercial space 1 space per 3 staff	41 including 2 disabled bays and 2 order bays	None
A5 Restaurant Fish and Chip Shop (310 sq m)	25	1 Commercial space 1 space per 3 staff	25 including 2 disabled bays and 2 order bays	4 staff spaces

PFS Convenience store and takeaway (668 sq m total)	16 spaces for convenience store	1 tanker/ fuel delivery, 4 spaces for ancillary services i.e. car wash, 1 delivery bay	16 including 2 disabled plus 16 pump spaces	1 tanker/fuel delivery bay, 2 ancillary service bays, 1 store service bay
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Additionally 12 cycle parking stands are to be provided adjacent to the A5 Unit and petrol filling station with further secure staff cycle parking available within the proposed units.

Generally, the parking provision is in compliance with the Council’s SPG and will to an extent be self regulating as if customers are unable to park they will continue to another location and any indiscriminate parking arising would be within the curtilage of the development site and would not have a detrimental effect on the adjacent highway and on this basis the parking provision is considered acceptable.

Proposals are not shown to improve the existing bus stop which incorporates a lay-by and which is located immediately to the front of the site. Lack of this provision to encourage the use of sustainable modes of travel by visitors and employees gives cause for concern. The bus stop should be improved by the provision of a bus shelter, pole and raised bus boarding kerbs to encourage use of sustainable modes of travel to and from the development and in the event of the proposal being considered acceptable a suitable condition could be used to secure this improvement.

In conclusion on the matters of accessibility, traffic generation highway safety and parking, the proposals have been fully reviewed considered acceptable, particularly in light on recent improvements undertaken at the A470 Nantgarw roundabout and ongoing improvements at the A470 / A473 Upperboat roundabout. The lack of provision for cyclists along Heol Crochendy to link between existing cycle route facilities and pedestrian connectivity to link to the existing bus stop together with the absence of proposals to improve the existing bus stop at Heol Crochendy to encourage the use of sustainable modes of transport is a cause for concern, however these concerns may be overcome by the imposition of suitable planning conditions. The proposed access to the development is acceptable in terms of junction geometry and visibility with sufficient space within the development for circulation as demonstrated by swept path analysis contained within the Transport Assessment. Parking provision is generally in compliance with the Council’s SPG.

There is no highway objection to the proposal which satisfies LDP Policies AW5 and AW6, though it will be noted that concerns over access and parking figure highly in the representations from made from members of the public

OTHER ISSUES

Several other issues have been raised and considered in respect of this development and these are briefly discussed. Firstly, concern has been raised by the occupiers of neighbouring premises that the operation of the fast food restaurants will give rise to nuisance from cooking smells, waste and litter. These concerns are commonly associated with food establishments though normally capable of mitigation through fume extraction systems and provision of litter bins. Secondly, members of the public have questioned the need for a petrol station and fast food outlets in an area already supplied with these facilities. However, need for this kind of development is seldom a material planning consideration of any weight, it is rather left to market forces to regulate supply and demand. Thirdly, residents living in proximity to the site have questioned the need for play facilities in the area. Whilst this concern is acknowledged it is considered that the provision of play facilities as mitigation for the consequences for this kind of development is difficult to justify.

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 CIL liable under the CIL Regulations 2010 (as amended). The application constitutes Class A1 retail development creating over 100 square metres of floor space where there is a liability of £100/sq.m.

The CIL (including indexation) for this development is expected to be £76,513.97.

Conclusion

The application site is located on Parc Nantgarw which, together with Treforest Industrial Estate, is a regionally important location for Class B1, B2 and B8 development, close to the A470 trunk road and the M4 motorway. Moreover, the application site is the most prominent position within that location, at the main entrance to it. In this context, the application site should not be used for ancillary road-related services, and it should have a landmark or marker building that marks the entrance to Parc Nantgarw and complements the quality of the college building behind. For these reasons the proposal fails satisfy LDP policies SSA 27 and AW6. In addition, the proposal fail to adequately demonstrate that the risks from flooding can be overcome therefore conflicts with LDP policy AW10. For these reasons the application is recommended for refusal. Consideration has been given to the economic benefits of the development in terms of job creation, regeneration of a vacant site, and the plentiful supply of other Class B1, B2 and Class B8 elsewhere in the County Borough though none is of sufficient weight to override the concerns that have given rise to the recommendation of refusal.

RECOMMENDATION: Refuse

1. **The proposal is for a road-related development within Classes A1 and A3 that would not be complimentary and ancillary to the main B Class uses on Parc Nantgarw / Treforest Industrial Estate, therefore conflicts with Policy SSA 27 of the Rhondda Cynon Taf Local Development Plan which allocates the site for employment development within Classes B1, B2 and B8.**

2. **The proposed development is located in a prominent position at the entrance to Parc Nantgarw/Treforest Industrial Estate and fails to provide a landmark or marker building to aid legibility and is out of accord with the character and appearance of neighbouring development. The proposal therefore fails to satisfy policies AW6 of the Rhondda Cynon Taf Local Development Plan.**

3. **The proposed development lies with a floodplain (Zone C1) and fails to adequately demonstrate that the risk of flooding can be overcome, therefore conflicts with Policy AW10 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

5 JANUARY 2017

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR REFUSAL**

OFFICER TO CONTACT

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

See Relevant Application File