



PLANNING & DEVELOPMENT COMMITTEE

21 FEBRUARY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below

APPLICATION NO: 18/1342/10
(LJH)
APPLICANT: Star Pubs and Bars
DEVELOPMENT: Proposed alterations to external elevations with the addition of a new porch, new bi-folding doors, external seating area and replacing of existing extraction equipment like for like.
LOCATION: THE WINDSOR, LLANTRISANT ROAD, PONTYCLUN, CF72 9DQ
DATE REGISTERED: 10/12/2018
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

REASONS:

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its impact on the character and appearance of the surrounding area, its impact on the residential amenity and privacy of neighbouring residential properties and its impact on highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning permission is sought for a number of works to The Windsor, Llantrisant Road, Pontyclun. The works would include:

Alterations

- Addition of a porch to the north-west facing principle elevation measuring 2 metres in width by 2.4 metres in depth. The addition would have a pitched

roof with a total height of 3.1 metres sloping to 2.1 metres at the eaves. The addition would be finished in materials to match the proposed building.

- Installation of new timber bi-folding doors on the north-west elevation. The bi-folding doors are proposed to measure 2.9 metres in width by 2.2 metres in height.
- The existing false timber beams are to be removed and repairs to front and side elevations to make good. The exterior of the premises will be repainted.
- Existing fascias are to be removed and reclaimed timber fascias added to front and side elevations.

External Seating Area

- Installation of a new seating area to the north-western and south-western elevations which will be enclosed by timber post and rope fencing and reclaimed timber planters.

Extraction Equipment

- It is proposed to replace the existing extraction unit with new equipment on a like for like basis.

SITE APPRAISAL

The application site is a semi-detached commercial unit located on Llantrisant Road, Pontyclun. The building is currently vacant but has previously been used as a Public House and Restaurant and has a predominantly render and false timber beam finish.

The surrounding area is commercial in character and is characterised by its range of A1 and A3 uses.

PLANNING HISTORY

There are no records of any recent planning applications at the site.

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. No letters of objection or representation have been received as a result of this process.

CONSULTATION

Highways - no highway objection is raised or condition suggested.

Public Health and protection - no objection is raised; however, conditions are suggested with regards to demolition, hours of operation, noise, dust, waste, and extraction equipment.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontyclun and a Retail Zone.

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.

Supplementary Planning Guidance

- Delivering Design and Placemaking

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 5th 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 relevant policy guidance consulted:

- 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.

Main Issues:

Principle of the proposed development

The application relates to a number of works to an existing commercial property. As such, the principle of the proposed development is considered to be acceptable subject to an assessment of the following criteria:

Impact on the character and appearance of the area

Although the proposed works would result in a number of visible alterations to the principal elevation and south-west elevations of the application property including the construction of a porch, they are considered to be relatively minor in terms of their overall visual impact on the surrounding area. The works would be completed to a high standard of design and would largely result in the modernisation of a dated facade through the provision of updated window openings and external finishing materials (i.e. reclaimed timber cladding). All existing features which would be retained as part of the works would be subject to some redecoration (i.e. repainting of existing structure) to ensure that the overall scheme provides a cohesive design which would enhance the overall visual appearance of the application property.

With regards to the proposed seating area and planters, it is not considered that they would have an adverse impact on the character and appearance of the area.

Consequently, it is not considered that the proposal would have a significant impact on the character and appearance of the existing property and the surrounding area and the application would therefore comply with Policies AW5 and AW6.

Impact on residential amenity and privacy

The application site is located in quite close proximity to residential properties however it is not considered that there is much potential for the works to have any impact on the residential amenity and privacy of surrounding residents. The majority of the works would form minor alterations to the existing restaurant and it is not considered that the properties would experience any further impacts as a result of the works.

Whilst it is acknowledged that the addition of the outdoor seating area could potentially result in some additional noise pollution to surrounding residents, the extension would be of a minor scale and would not be sited any closer to residential properties than the existing arrangement. It is therefore not considered that the level

of noise generated by the use of the outdoor seating areas would be significantly increased over that which already occurs.

Consequently, the proposal is considered to be acceptable in terms of the impact it would have on the residential amenity and privacy of surrounding residents and would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Impact on highway safety

In terms of the effect on public safety, the application has been the subject of consultation with the Council's Highways Section. Officers have noted that the proposal has no impact on highway or pedestrian safety and is therefore considered acceptable.

Consequently, the development is considered to be acceptable in terms of its impact on highway safety and it would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Public Health

The Council's Public Health and Protection Division has suggested 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. It is therefore considered the conditions suggested in this respect are not necessary.

Further conditions are suggested with regards to extraction equipment, the premises has previously been operated as a restaurant and the replacement of the extraction equipment is on a like for like basis, a condition will however be appended to ensure that the proposed extraction equipment is a suitable replacement.

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 is considered to comply with the relevant policies of the Local Development Plan in respect of its impact on the character and appearance of the surrounding area, its impact on the residential amenity and privacy of neighbouring residential properties and its impact on highway safety.

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 nos. 001, 210, 220, and documents received by the Local Planning Authority on 05/12/2018 and 10/12/2018, 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 the installation of the extraction equipment, 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 in accordance with the approved details 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.

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