



RHONDDA CYNON TAF

CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

GWŶS I GYFARFOD PWYLLGOR

C Hanagan
Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu
Cyngor Bwrdeistref Sirol Rhondda Cynon Taf
Y Pafiliynau
Parc Hen Lofa'r Cambrian
Cwm Clydach, CF40 2XX

Dolen gyswllt: Hannah Williams - Uned Busnes y Cyngor - Gwasanaethau
Llywodraethol (Ffôn: 01443 424062)

Bydd cyfarfod o'r **PWYLLGOR CYNLLUNIO** yn cael ei gynnal **AR Y SAFLE** ar
DYDD LLUN, 3YDD MEHEFIN, 2019 yn unol â'r manylion isod.

AGENDA

DATGANIADAU O FUDDIANNAU – Derbyn datganiadau o fuddiannau personol
gan Gynghorwyr, yn unol â gofynion Côd Ymddygiad y Cyngor.

Noder:

Mae gofyn i Aelodau ddatgan rhif a phwnc yr agendwm mae eu buddiant yn
ymwneud ag ef a mynegi natur y buddiant personol hwnnw.

Lle bo Aelodau'n ymneilltuo o'r cyfarfod o ganlyniad i ddatgelu buddiant sy'n
rhagfarnu, **rhaid** iddyn nhw roi gwybod i'r Cadeirydd pan fyddan nhw'n gadael.

| <u>AMSER</u> | <u>LLEOLIAD</u> | <u>PWRPAS</u> |
|---------------------|--|---|
| <u>10.00 am</u> | Burger Express, 46 Cemetery Road, Trecynon, Aberdâr, CF44 8HL | Cais: 18/1124/10 - Ffliw Echdynnu (Ôl- weithredol) (Derbyniwyd y manylebau ar 20/02/19). |

| <u>AMSER</u> | <u>LLEOLIAD</u> | <u>PWRPAS</u> |
|---------------------|--|--|
| <u>11.00 am</u> | Eglwys Santes Ann, Church Terrace, Ynyshir, y Porth, CF39 0HE | Cais: 18/1400 - Dymchwel yr adeiladau sy'n bodoli eisoes ac adeiladu 18 o gartrefi preswyl fforddiadwy a'r gwaith a'r trefniadau mynediad cysylltiedig (derbyniwyd y cynllun diwygiedig o'r safle ar 07/02/19). |

| <u>AMSER</u> | <u>LLEOLIAD</u> | <u>PWRPAS</u> |
|---------------------|--|--|
| 12.00 pm | Uned 3 Concrete Canvas Ltd, Bloc A22, Severn Road i gyfeiriad y dwyrain, Ystad Ddiwydiannol Trefforest, Pontypridd, CF37 5UR | <i>Yn unol â chais Aelodau'r Pwyllgor: Rhoi cipolwg ar yr effaith y gallai'r seilo ei chael ar gymeriad a golwg yr ardal, cyn ymweld â hen safle Crabtree and Evelyn Overseas Ltd, Pont-y-clun, i ystyried cais 19/0071 (manylion isod).</i> |

| <u>AMSER</u> | <u>LLEOLIAD</u> | <u>PWRPAS</u> |
|---------------------|--|---|
| 12.30 pm | Hen safle Crabtree and Evelyn Overseas Ltd, Heol y Bont-faen, Tonysguboriau, Pont-y-clun, CF72 8HL | Cais: 19/0071 - Gosod cladin dur proffil a deunydd insiwleiddio acwstig a gwres dros y cladin sy'n bodoli eisoes ar waliau'r uned, a gosod 3 seilo ar ochr orllewinol yr uned, ac 1 seilo i'r de-ddwyrain o'r uned (ochr ddeheuol) (derbyniwyd y cynlluniau diwygiedig ar 07/03/2019), |

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democraidd a Chyfathrebu

Cylchrediad:-

Aelodau o'r Pwyllgor Cynllunio a Datblygu:

Cadeirydd ac Is-gadeirydd y Pwyllgor Materion Rheoli Datblygu
(Y Cynghorydd S Rees a Y Cynghorydd G Caple)

Y Cynghorydd J Bonetto, Y Cynghorydd D Grehan, Y Cynghorydd G Hughes,
Y Cynghorydd P Jarman, Y Cynghorydd W Owen, Y Cynghorydd J Williams,
Y Cynghorydd S Powell, Y Cynghorydd R Yeo ac Y Cynghorydd S Morgans

Safle 1

Cynghorydd Lleol - Y Cynghorydd S Rees, A Crimmings a G Jones

Safle 2

Cynghorydd Lleol - Y Cynghorydd D Macey

Safle 3 & 4

Cynghorydd Lleol - Y Cynghorydd M Griffiths a K Jones

PLANNING & DEVELOPMENT COMMITTEE

9 MAY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1124/10
(JE)
APPLICANT: Mrs Karen Endicott
DEVELOPMENT: Extraction Flue (Retrospective) (Specifications received 20/02/19)
LOCATION: **BURGER EXPRESS, 46 CEMETERY ROAD, TRECYNON, ABERDARE, CF44 8HL**
DATE REGISTERED: 22/11/2018
ELECTORAL DIVISION: Aberdare West/Llwydcoed

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

REASONS:

The principle of development is considered acceptable. Furthermore application is considered to comply with the relevant policies of the Local Development Plan in respect of its visual impact and the impact it has upon the amenity of the neighbouring residential properties.

REASON APPLICATION REPORTED TO COMMITTEE

- A request has been received from Councillor Sharon Rees for the matter to come to Committee for determination, in order that Members can consider the impact upon the amenity of neighbouring properties.

APPLICATION DETAILS

Full planning permission is sought for the retention and completion of an extraction flue at Burger Express, 46 Cemetery Road, Trecynon, Aberdare. The proposal would see the existing flue which has been constructed without planning permission modified.

The proposed flue would measure a maximum height of 1 metre above the ridge of the roof and would consist of a straight flue with flue hood above. The proposed flue would be constructed out of stainless steel however would be finished in black.

Also included with details of the flue are specifications for the following:

- Carbon Filter
- Panel Filter
- MJB Fan
- Grease Trap

SITE APPRAISAL

The application property is a detached single storey building located adjacent to and on the southern side of Cemetery Road (B4275), close to the junction with Cwmdare Road. The site is bounded by the amenity space of 45 Cemetery Road on its front and side elevations. At the time of the Officer's site visit a wall had been partially constructed surrounding the unit on these elevations. The property is currently occupied and benefits from an existing flue which has been constructed without planning permission.

The property displays 'Burger Express' signage above the door and hatch, as part of the pull down shutter structure.

Of an irregular footprint, the building has been roughly constructed from a combination of grey face brick and blockwork, with a roof of corrugated metal, and benefits from a pedestrian door and serving hatch.

Most of the other properties surrounding the site are of a residential nature with the closest dwelling separated by 27 metres to the south.

PLANNING HISTORY

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

| | | | |
|---------|--------------------------------------|---|------------------|
| 17/1370 | 46 Cemetery Road, Trecynon, Aberdare | Certificate of lawfulness is required to continue its use for the sale of both hot and cold food. | Granted 09/02/18 |
|---------|--------------------------------------|---|------------------|

PUBLICITY

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

2 letters of objection have been received from the occupiers of neighbouring properties, the points raised have been summarised below:

- Design of flue
- Does not meet required standards
- Discharge from flue
- Litter and parking issues created by the unit
- Impact upon property value
- Use of the unit

CONSULTATION

Public Health & Protection - no objection.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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

Policy CS1 – sets out the strategy for the Northern Strategy Area

Policy AW2 – supports development in sustainable locations.

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

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

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

Supplementary Planning Guidance

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

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

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 retention and completion of an extraction flue at an existing and lawful A3 unit at 46 Cemetery Road, Trecynon, Aberdare. The extraction flue is required to facilitate the use of the property and allow safe operation. The principle of development is therefore considered acceptable subject to the below considerations.

Impact on the character and appearance of the area

The objections received raise concerns regarding the impact of the flue upon the character and appearance of the area. Given the nature of the unit and its location close to the highway, any development at the site would form a visible addition to the street scene.

Whilst the existing flue arrangement at the premises is a cause for concern with regard to its impact upon the character and appearance of the area. The proposed amendments to the flue are considered to be a more acceptable arrangement and would not form a dominant addition to the property once completed.

It is also acknowledged as the property does not benefit from any amenity space on its rear or side elevations, it would not be possible to relocate the flue to a less prominent area of the unit.

As such, whilst the extraction flue does inevitably form a prominent addition to the property, its impact upon the character and appearance of the area is not considered significant enough to warrant a refusal of the application.

Impact on residential amenity.

As the site is located in a predominantly residential area, it is important to consider the potential impacts of the development upon the levels of amenity that existing neighbouring occupiers currently enjoy.

Concern regarding the odours and discharge from the flue were raised within the objections received. Also raised by the objectors were concerns that the proposed flue does not meet the required standards.

The proposed flue and specifications would be an improvement to the existing arrangement at the site. Furthermore following consultation with the Council's Public Health and Protection Section no objection was raised and the following response was received; as there are no buildings within 15m of the vent and that a flue height of 1m will be achieved. Whilst it is recommended that the final discharge should be vertically upwards unimpeded by flue terminals, the design is not expected to cause an issue in this particular case. Additionally, the proposed grease trap appears to be satisfactory and noise issues associated with the extraction system is not anticipated.

On balance, in terms of the impact on the amenity of neighbouring residents, the application is considered to be acceptable.

Other issues raised by objectors

Impact on property value was raised within the objections received from neighbouring occupiers. However property value is a non material consideration and is not taken into account in determining the application.

Also raised within the letters of objection received were complaints regarding the A3 use of the property and its impacts on parking and litter in the immediate vicinity. An application was previously submitted (17/1370/09) for a certificate of lawful use for the premises. This application considered that the A3 use of the property was lawful. It is also acknowledged that this application only proposes works to the flue and extraction equipment. As such, whilst the concerns regarding parking and litter are acknowledged they are not considered in determining the application.

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 considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. The application is therefore considered to comply with the relevant policies of the Local Development Plan (AW5, AW6 and AW10).

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The works to the flue shall be completed in accordance with the plans hereby approved within 3 months of the date of permission.

Reason: To improve the impact upon residential and visual amenity in accordance with Policy AW5, AW6 and AW10 of the Local Development Plan.

2. The development hereby approved shall be carried out in accordance with the approved plans.

- Flue Position
- Front Elevation
- Side Elevation
- Flue Dimensions

and documents received by the Local Planning Authority on 13/11/18, 20/02/19 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. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details for as long as the use continues.

Reason: In the interests of public health and amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

9 MAY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/1400/10
(MF)

APPLICANT:

DEVELOPMENT: Demolition of existing buildings and the construction of 18 no. affordable residential dwellings and associated access arrangements and works (amended site layout received 07/02/19).

LOCATION: **ST ANNES CHURCH, CHURCH TERRACE, YNYSHIR, PORTH**

DATE REGISTERED: 20/12/2018

ELECTORAL DIVISION: Ynyshir

RECOMMENDATION: APPROVE, SUBJECT TO SECTION 106 AGREEMENT

REASONS:

Whilst the loss of the existing historic building is regrettable and it is accepted the scheme will inevitably result in a considerable alteration to the current character and appearance of the site and its immediate surroundings, it is considered the proposed building would form an attractive feature within the locality and a natural rounding off of Church Terrace with Station Road. Furthermore, it is considered the use of appropriate, traditional design features and finishing materials will ensure the resulting building is generally in-keeping with the character and appearance of the surrounding area.

Additionally, whilst it is accepted a degree of impact would inevitably occur to the amenity and privacy standards currently enjoyed by nearest surrounding residents, it is not considered any impact would be so detrimental as to warrant refusal of the application.

Finally, it is not considered the proposed development would result in detrimental impact upon pedestrian and highway safety in the vicinity of the site.

Consequently, whilst the concerns raised by the objectors are acknowledged, the proposal would be compatible with surrounding land uses and is generally considered to be in accordance with the relevant local and national planning policies. The application is therefore recommended for approval.

REASON APPLICATION REPORTED TO COMMITTEE

The application is reported to the Planning and Development Committee for final determination as the scheme proposes five or more dwellings, and because 95 no. letters of objection and a petition signed by 204 no. people have been received following the consultation process.

APPLICATION DETAILS

Full planning permission is sought for the demolition of the existing St Anne's Church building and adjacent community hall, and for the construction of 18 no. self-contained flats in their place. The development would comprise the following:

- 15 no. 1 bedroom apartments;
- 3 no. 2 bedroom apartments.

The proposed site layout indicates that a single, 'L' shaped building would be sited along the northern and western boundaries of the site, occupying approximately half of the plot, with communal amenity and parking areas to the rear. The building would comprise a mixture of two and three storeys, with the north-western corner being three storeys in nature and the flanks either side being of two storeys. It would be finished in a mix of natural stone and render with blue/black roof tiles, and casement style windows with various traditional details throughout in an attempt to blend with the character of the surrounding, traditional terraced dwellings.

The rear parking area would be accessed off Station Road to the north and would accommodate 18 no. off-street parking spaces and a communal bin store at the entrance.

Members are advised that amended plans were received on 07/02/19 which detail the existing boundary wall along the western boundary of the site would be demolished and rebuilt between 0.3m and 1.5m back in to the site to allow for a 2m wide footway along the site frontage without the need to extend in to the adjacent highway. The amendments were made following objections being raised by the Council's Transportation Section to the original site layout whereby the 2m wide footway would have extended in to the adjacent highway, narrowing its width.

It is noted that each of the new units would be occupied as affordable housing under the management of a housing association. As such each of the properties have been designed to meet the relevant Welsh Government Development Quality Requirements (DQR).

SITE APPRAISAL

The application site is a roughly rectangular parcel of land, amounting to approximately 0.13ha, that is currently occupied by St Anne's Church and an associated community hall building. The church is located centrally within the plot, occupying the majority of the plot, with the smaller community hall sited to the southern side. The church building is of an attractive design incorporating various traditional features throughout. It is constructed of natural stone with a slate tiled roof. The adjacent hall building is of a more utilitarian design, being added much later, and is finished in render and concrete roof tiles. The site is enclosed on all sides by stone boundary wall. St Anne's Church is not listed but is referred to as part of the Royal Commission on the Ancient and Historical Monuments of Wales database. It is therefore recognised as having historical merit and local significance.

The site fronts the footways along both Station Road (north) and Church Terrace (west) and is bounded by service lanes to the south and east which provide access to the rear gardens of the adjacent residential properties within Church Terrace, William Street and Station Road. The A4233 Porth Relief Road (the main bypass through the valley) is located directly to the front. The surrounding area is residential in nature, primarily comprising linear rows of traditional terraced dwellings. It is noted however that a number of standalone larger and more modern buildings are located throughout.

PLANNING HISTORY

No previous planning applications have been submitted at the site.

PUBLICITY

The application has been advertised by means of direct neighbour notification, site notices and a press notice. 95 no. letters of objection from surrounding residents and petition signed by 204 no. people have been received, making the following comments (summarised):

- The existing building is attractive and has historic local significance. It should not be demolished. There are many community uses that could occupy the building.
- The proposed three-storey development would not be in-keeping with the character of the surrounding area. Further, the amount of development would lead to overdevelopment of the plot.
- The proposed flats will overlook the adjacent, existing properties.
- The proposed building would overshadow the adjacent, existing properties.
- The number of units at the site would result in noise and disturbance to surrounding residents.
- The communal bin store could result in vermin being attracted to the site which would have a detrimental impact upon existing, surrounding residents.
- The surrounding streets are narrow and congested with vehicles parked on the highways, especially when the nearby football pitch is in use. There is

insufficient off-street parking provision at the proposed development. Consequently the proposed development would exacerbate the existing situation.

- The surrounding streets are narrow and cannot cope with the traffic associated with the existing properties in the area. This can be dangerous for both pedestrians and drivers. 18 no. properties at the site would increase traffic in the area and would exacerbate these issues.
- The widening of the pavement along Church Terrace, resulting in the narrowing of the highway, would have a significant impact upon highway safety here.
- Construction traffic associated with the proposed development works would inconvenience and disturb surrounding residents.
- The proposed building would be located directly adjacent to the busy Porth bypass road. As such future residents would be subject to noise pollution.
- The additional residential units would put further pressure on existing local facilities such as doctors, dentists, etc.
- The proposed flats would put pressure on the existing water supply and drainage infrastructure in the area.
- The development would obstruct views from surrounding properties.
- The development would result in property values in the surrounding area being reduced.
- Various wildlife is present on the site. Their habitat would be removed if the development goes ahead.
- The local schools may not be able to cope with the potential number of extra pupils.
- Given the historic nature of the existing church, have approaches been made to local museums such as St Fagans with a view to the building, or important features being retained/restored?
- Are there not restrictive covenants on the land that would stop the site being used for any use other than a church?
- There is already a considerable number of social housing units and flats in the village, many of which are currently empty. As such there is no need for further flats at this site.
- Occupiers of social housing cause a number of anti-social behaviour and crime issues. More social housing in the village would exacerbate existing problems.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Public Health and Protection – no objection, subject to conditions.

Flood Risk Management – no objection, subject to condition.

Countryside, Landscape and Ecology – no objection.

Housing Strategy – no objection.

Education and Inclusion – no objection and no financial contribution required.

Play and Community Facilities – no objection and no financial contribution required.

Glamorgan Gwent Archaeological Trust – no objection, subject to conditions.

Natural Resources Wales – no objection.

Dwr Cymru/Welsh Water – no objection, subject to conditions.

Wales and West Utilities – no objection, subject to conditions.

Western Power Distribution – no objection.

South Wales Police – no objection, subject to conditions.

South Wales Fire and Rescue Service – no objections, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located within the settlement boundary for Ynysuir, but is not allocated for any specific purpose.

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

Policy CS5 – outlines the extent of the affordable housing requirement that needs to be delivered through the plan period.

Policy AW1 – sets out the criteria for new housing proposals.

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

Policy AW4 – details the criteria for planning obligations including Section 106 Agreements and the Community Infrastructure Levy (CIL).

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 AW7 – identifies that proposals which impact upon sites of architectural or historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character of the area.

Policy AW8 – sets out the criteria for the protection and enhancement of the natural environment.

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 NSA10 – requires housing developments in the Northern Strategy Area to have a net residential density of at least 30 no. dwellings per hectare, subject to certain exceptions.

Policy NSA11 – seeks a provision of 10% affordable housing on sites of least 10 no. units or more within the Northern Strategy Area.

Policy NSA12 – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries in the Northern Strategy Area.

Supplementary Planning Guidance

- Design and Placemaking;
- The Historic Built Environment;
- A Design Guide for Householder Development;
- Affordable Housing;
- Nature Conservation;
- Planning Obligations;
- Access, Circulation and Parking;
- Development of Flats.

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.

Welsh Government published Planning Policy Wales (Edition 10) on 5th December 2018. The document aims to incorporate the objectives of the Well-Being of Future Generations (Wales) Act (2015) into town and country planning and sets out the Welsh Government's policies on issues relevant to the determination of planning applications.

It is considered that this proposal meets the seven goals set out within the Well-Being of Future Generations (Wales) Act and the proposed development is consistent with the key principles set out in Chapter 2 (People and Places: Achieving Well-being Through Placemaking); Chapter 3 (Strategic and Spatial Choices); Chapter 4 (Active and Social Places); Chapter 5 (Productive and Enterprising Places); and Chapter 6 (Distinctive and Natural Places) of Planning Policy Wales (Edition 10).

Other relevant national policy guidance consulted:

- PPW Technical Advice Note 1: Joint Housing Land Availability Studies;
- PPW Technical Advice Note 2: Planning and Affordable Housing;
- PPW Technical Advice Note 5: Nature Conservation and Planning;
- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 18: Transport;

- PPW Technical Advice Note 24: 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.

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

Full planning permission is sought for the demolition of the existing St Annes Church building and adjacent community hall, and for the construction of 18 no. self-contained flats in their place, each to be occupied as affordable housing.

The application site is located within the defined settlement boundary of Ynyshir and is unallocated. Further, the proposed use of the site for residential purposes would not conflict with surrounding land uses. As such the proposal meets the relevant criteria set out in Policies AW1 and AW2 which aim to support residential development on unallocated land within settlement boundaries. Additionally, the site is located near the Retail Centre of the village and a number of public transport links. As such it is considered the site is located within a sustainable location and therefore complies with the primary objectives of Policies AW2 and NSA12 which aim to support sustainable development. Furthermore, the proposed development would make use of a Brownfield site which is promoted by Policy CS2.

It is also noted that the RCT Joint Housing Land Availability Study (2018) calculates the current supply to be 1.4 years, a deficit of 3.6 years against the minimum required by national policy. As such the proposed development would go some way to increasing the Authority's housing land supply. Additionally, the proposal is compliant with Policy NSA10 in that it proposes development which exceeds 35 no. dwellings per hectare (138 no.), and Policy NSA11, entailing 100% affordable housing which the Council's Housing Strategy team have commented would provide a form of accommodation that would provide local people who live and want to remain in Ynyshir with greater variety in their housing options. The Housing Strategy team also noted that whilst Ynyshir has not habitually been the highest housing need area within the County Borough, the most recent Local Housing Market Assessment (LHMA) did identify a moderate shortfall of certain unit types, which this scheme has been specifically designed to address. Within Ynyshir there is currently an identified need for:

- 3 x one bedroom flats for social rent;
- 1 x one bedroom adapted property;
- 1 x two bedroom adapted property.

Therefore, in providing 15 no. one bedroom flats, 1 no. of which would be adapted, and 3 no. two bedroom flats, 1 no. of which would be adapted, the scheme would meet

all of the identified need in the village, whilst also providing some sustainability with a number of additional units. As such, whilst the comments raised by the objectors stating that further social housing in the village is not required, it is considered the scale of the scheme can be justified based on housing need evidence in the area.

Finally, the proposed site layout and floor plans illustrate that the flats would have reasonable natural light and outlook, access fronting Church Terrace, a sufficient bin storage area, and a well overlooked car park. The proposal therefore generally complies with the principles of the Council's adopted Supplementary Planning Guidance: Development of Flats.

Therefore, in light of the above, whilst the loss of the attractive and historic church building is regrettable, the principle of demolishing the existing buildings and developing a number of residential units in their place is considered acceptable, in principle, subject to compliance with the other relevant material considerations set out below.

Visual Impact

The scheme proposes the demolition of the attractive existing church building and the construction of a block of 18 no. apartments in its place. The existing building is recorded in the National Monument Records of Wales, which has affiliation to and is funded by Cadw, and therefore has recognised historical merit and local significance. However, it is not listed or sited within a conservation area and the developer would therefore not require planning permission to demolish it, subject to following the relevant prior notification process. Consequently, whilst the demolition of the church building is regrettable and its conversion preferred, and whilst the comments received from local residents in this respect are acknowledged, it is not considered that its demolition and replacement with an appropriate development would have a significant enough impact upon the character and appearance of the locality to warrant refusal of the application. Further, the building has been vacant for some time with no intention to reintroduce a church use, and therefore without development will likely fall in to disrepair in the near future which could result in the amenities of surrounding residents being affected. As such the key consideration in respect of visual impact is whether the proposed development would be of an appropriate design and scale for the site; would be in-keeping with character and appearance of the surrounding area; and would have regard to the current visual appearance of the attractive and historic building it would replace.

With the above in mind, the proposed site layout indicates that a single, 'L' shaped building would be sited along the northern and western boundaries of the site, with communal amenity and parking areas to the rear. The proposed building would be of a similar footprint to that of the buildings it would replace whilst leaving adequate space to the rear for amenity and parking areas. As such the application site is considered capable of accommodating a building of the scale and footprint proposed, along with its associated parking and amenity areas, without leading to overdevelopment of the plot.

It is acknowledged the proposed building would comprise a three storey element and the existing church building and majority of surrounding properties are only two storeys in nature, which will inevitably result in prominent feature being created at the site.

However, the three storey element would be restricted to the north-western corner of the plot only where it is considered it would appear as a natural close of both Church Terrace and Station Road, which is a typical feature seen in many traditional terraced streets throughout the County Borough where larger buildings are located at the end of terraces. Furthermore, whilst obviously larger in terms of overall mass, the three storey element would be of a similar height to the bell tower of the existing church and it is therefore considered it would not result in having an overly dominant effect. Additionally, the building would address the footways along both Church Terrace and Station Road, following the general building line of both streets, and would be finished in mix of natural stone and render with blue/black roof tiles, as well as casement style windows and various other traditional details such as gables, quoins, string courses and window heads/cills throughout, which would ensure the structure is generally in-keeping with the character and appearance of the surrounding, traditional terraced dwellings, and has some regard to the traditional character of the existing church. Finally, the existing rubble stone wall surrounding the site would be retained which will further ensure some of the site's existing character remains following development.

Therefore, in conclusion, whilst the loss of the existing building is regrettable and it is accepted the scheme will inevitably result in a considerable alteration to the current character and appearance of the site and its immediate surroundings, the scheme would be typical of many modern housing developments in the County Borough and it is considered that the proposed development would appear as an appropriate infill between the existing streets to the north, south and east. Consequently, whilst the concerns raised by the objectors in respect of visual impact are acknowledged, the proposal is generally considered to be in accordance with the relevant planning policy in this respect.

Residential Amenity

Whilst it is acknowledged that any development at the site would inevitably result in a degree of impact to the amenity and privacy standards currently enjoyed by surrounding residents, it is considered that the site layout proposed will allow sufficient distance between the new building and the existing properties to ensure that any potential impact would not be significant enough to warrant refusal of the application.

The plot is currently occupied by a large church building and associated, smaller community hall unit. As such, whilst it is accepted a degree of noise/disturbance would have occurred as a result of its past use, the introduction of 18 no. residential units at the site will inevitably result in an intensification of use. However, whilst intensive in respect of the number of units and the associated comings and goings and general noise and disturbance normally associated with residential use, the application site is located directly adjacent to the main bypass road through the valley where a considerable degree of noise/disturbance already occurs and which surrounding neighbours would have become accustomed to. As such it is not considered the relative increase in disruption generated by the proposed development would result in an unacceptable impact to the amenities of the existing surrounding residents in these terms.

With respect to the proposed building itself and the potential impact it may have upon the existing neighbouring properties, the proposed site layout indicates that a minimum distance of approximately 13m would be maintained between the front elevation of the

proposed building along the northern boundary of the site and the southern side elevation of the adjacent property to the north, 12 Church Terrace. Therefore, with this element of the proposed building being three storeys in nature, the proposed structure will inevitably result in a degree of impact to the amenity and privacy standards currently enjoyed by the occupiers of the adjacent property. However, whilst this will be the case, and it is acknowledged the adjacent dwelling has a number of habitable windows within its southern side elevation, the three storey element of the building at this location would form only a small element of the overall structure and this type of relationship is typical of many similar new developments throughout the County Borough. As such it is considered the separation distances are acceptable and the potential impact would not be significant enough to warrant refusal of the application.

Furthermore, whilst a separation distance of only approximately 6m would remain between the proposed building and the adjacent property to the south, 13 Church Terrace, this element of the proposed building would form a side elevation with no habitable windows and would be only two storeys in nature. It is consequently considered that the relationship between this element of the proposed building and the adjacent property to the south would be typical of any buildings constructed side by side, and would not result in a significant impact.

With respect to any potential impact the proposed building may have upon the amenities of the occupiers of the properties to the rear of the site, a separation distance of approximately 17m would remain between the rear elevation of the proposed building and the western side elevation of nearest adjacent property along Station Road, no. 18; and a separation distance of over 30m would remain between the rear elevation of the proposed building and the rear elevations of the adjacent properties along William Street. As such it's not considered any undue impact would occur to these properties.

A number of residents have commented that the proposed communal bin store could result in vermin being attracted to the site, and in turn to the surrounding properties. Whilst these comments are acknowledged, communal bin stores are common features of such developments and are promoted by SPG: Development of Flats and the Council's Waste Services Section which both require bin storage areas to be within 12m of the adopted highway for health and safety reasons during collection. Therefore communal bin stores are considered to be the most appropriate method of refuse storage for these types of development, and their location at site entrances are generally considered the most suitable location. Furthermore, providing they are appropriately managed, which is outside of the remit of planning, this should not result in any impact to surrounding residents.

Finally, it is acknowledged the proposed residential units would be located in close proximity of the adjacent bypass road and therefore potential future occupiers may experience a degree of noise and disturbance. In this respect a noise assessment report has been submitted with the application that identifies that a sound monitoring was undertaken at the site and that subsequent detailed assessments of the suitability of the site, in accordance with the relevant British Standards, has also been undertaken. The report concluded that the adjacent highway may result in some impact to future residents, but the impact would not be significant and that the development would meet the requirements of the relevant British Standards in respect of noise, providing a number of sound proofing measures are introduced. The

Council's Public Health and Protection Division have considered the noise assessment report and commented that it is an appropriate assessment and the conclusions are acceptable. As such no objections are raised but it is suggested a condition be attached to any consent ensuring the mitigation measures set out in the noise assessment report are implemented on site.

Therefore, in light of the above, whilst the concerns raised by the objectors in this respect are acknowledged and it is accepted a degree of impact would inevitably occur to the amenity and privacy standards currently enjoyed by nearest surrounding residents, it is not considered any impact would be so detrimental as to warrant refusal of the application. Consequently, on balance, the application is considered acceptable in this regard.

Highway Safety

As detailed above, Members are advised that the Council's Transportation Section originally raised objections to the scheme as it proposed a 2m wide footway be created along the western boundary of the site, within the adjacent Church Terrace, reducing its already substandard width. In light of the objections the applicant submitted amended plans on 07/02/19 which proposed the existing boundary wall along the western boundary of the site be demolished and rebuilt between 0.3m and 1.5m back in to the site to allow for a 2m wide footway along the site frontage without the need to extend in to the adjacent highway.

Following consideration of the amended plans the Transportation Section removed their objections, subject to a number of relevant conditions being added to any consent. Therefore, whilst it is noted that a number of concerns have been received from local residents in respect of highway safety, the scheme is considered acceptable in this regard.

In their assessment of the scheme the Transportation Section commented that the site is served off Station Road and Church Terrace. Station Road is acceptable for safe vehicular and pedestrian access, and whilst there is some concern that Church Terrace is sub-standard in width for two large vehicles to pass one another directly outside of the site, the likelihood of two large vehicles having to pass one-another at this location is slight. Further, whilst there is some concern regarding the current lack of width for safe pedestrian movement along Church Terrace with primary access proposed, the developer has proposed to relocate the existing boundary wall and widen the footway to 2m which is acceptable for safe pedestrian movement and overcomes the previous concerns.

It was also noted that there is slight concern that the visibility from Station Road out on to Ynyshir Road to the right is sub-standard for a 30Mph speed limit however taking account Ynyshir Road has a lesser traffic flow than previously experienced due to the new by-pass, this alone would not warrant a highway objection.

With respect to parking, the Transportation Section commented that in accordance with the Council's adopted Supplementary Planning Guidance: Access, Circulation and Parking, the proposed 18 no. 1 and 2 bedroom apartments require up-to a maximum of 36 no. off-street car parking spaces for residents and 4 no. visitor spaces, taking the total required to a maximum of 40 no. off-street spaces, with only 18 no.

provided. However, the SPG also states that affordable housing generally requires a lesser car parking requirement than private dwellings and therefore the off-street car parking provision in these instances can be reduced to 1 no. space per apartment with short term visitor parking taking place on street, taking the total requirement in this instance to 18 no. spaces. Consequently the off street parking provision is considered acceptable.

Finally, it is acknowledged that a number of residents have expressed some concern with regard to the additional use of Station Road and Church Terrace by construction traffic, commenting that the vehicles associated with the development of the site will cause nuisance and disturbance to neighbours by way of increased traffic movements and associated noise. Whilst unfortunate, it is inevitable that during the course of construction residents may observe an increase in traffic movements resulting from deliveries associated with the construction. However, it is considered that this would occur over a limited period of time. Furthermore, should Members be minded to approve the application, a condition could be added to any consent reducing this impact by controlling the days and hours during which deliveries associated with the construction may attend the site, thereby avoiding disturbance during the evenings, weekends and peak traffic times. It is noted however that the Transportation Section do not consider a condition of this nature necessary in this instance.

Consequently, in light of the above highway assessment, whilst the concerns raised by the objectors in this respect are acknowledged, the application is considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site and in respect of car parking provision, subject to the conditions detailed below.

Public Health

No objections have been received from the Council's Public Health and Protection Division. They did however suggest a number of conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, waste and dust matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

Ecology

The Council's Ecologist noted that the application site supports a number of mature trees and a large building which are to be removed, and consequently there may be a potential for protected species to be affected.

In light of these issues a relevant ecology survey has been submitted with the application which details that a single common pipistrelle bat roost was found in the south west corner of the church building. The report also details however that this is clearly a minimum bat roost, with no maternity roost present, and therefore the demolition of the building would unlikely impact upon the population of bats. However a European Protected Species Licence (EPSL) from Natural Resources Wales (NRW) would be required prior to any works starting on site.

The Council's Ecologist has assessed the report and commented that it has been undertaken to appropriate standards and the conclusions are reasonable. As such no objections are raised but a condition is suggested to ensure that a replacement roost is installed on site to mitigate the loss of the existing roost.

It is also noted that no concerns were raised by Natural Resources Wales following assessment of the scheme.

Land Drainage and Flood Risk

No objections have been raised by the Council's Flood Risk Management (FRM) Section following consultation. It was noted during their assessment of the scheme that the applicant has not provided any site drainage details with the application and consequently it is difficult to assess the potential impact of the proposed development in respect of drainage/flood risk, however it is considered that an acceptable drainage scheme can be implemented at the site that would overcome any concerns. Therefore no objections are raised but it is suggested a condition be added to any consent requiring full site drainage details be submitted to and approved by the LPA prior to any development works starting on site.

It is also noted that no objections were received from Dwr Cymru/Welsh Water, subject to standard conditions and advice.

In light of the above advice, the development is considered acceptable in respect of site drainage, subject to the condition detailed below.

Education Provision

Following assessment of the proposal the Council's Education and Inclusion Section has commented that the nature of the proposed development, primarily 1 bedroom flats, would unlikely result in any impact upon the education provision within existing local schools. As such no concerns are raised or financial contributions in this respect necessary or requested.

Play and Community Facilities

Following assessment of the proposal the Council's Play and Community Facilities Section has commented that the nature of development, primarily 1 bedroom flats, would unlikely result in any impact upon the play and community facility provision within local area. As such no concerns are raised or financial contributions in this respect necessary or requested.

Historic Land Uses

Comments received from the Glamorgan Gwent Archaeological Trust (GGAT) indicate that the Historic Environment Record, curated by GGAT, shows that whilst there are no archaeological features recorded within the site, it is located within the Rhondda Registered Landscape of Special Historic Interest (HLW (MGI) 5), and within character area HLCA017 Ynyshir. Consequently the church building is considered to be of historical and cultural significance and is important in the streetscape of Ynyshir. Therefore, whilst no objections are raised to its demolition, a condition is

recommended to ensure the structure is formally preserved by record prior to demolition.

Other Issues

It is noted that no objections were received from Wales and West Utilities, Western Power Distribution, South Wales Police or South Wales Fire and Rescue Service, subject to standard conditions and advice.

Neighbour Consultation Responses

Where the issues raised by the objectors are not addressed above, the following additional comments are offered:

- It is noted that objectors have commented that occupiers of social housing generally cause more anti-social behaviour and crime issues than those occupying private properties and that more social housing in the village would exacerbate existing problems. Whilst these comments are acknowledged, no evidence has been offered to substantiate this view and any present issues caused by the behaviour of existing local residents have no bearing on the behaviour of potential future occupiers. As such this issue cannot be taken in to consideration during the determination of this application.
- Objectors have commented that the additional residential units would put further pressure on existing local facilities such as doctors, dentists, etc. Whilst there may be some merit to this point, no evidence is offered to support this claim or that there is any demonstrable need for further healthcare provision in the area.
- It is noted that a number of objectors have queried whether the Church in Wales or developer have approached local museums with a view to the building, or important features being retained/restored, and whether there are restrictive covenants on the land that would stop the site being used for any use other than a church. Whilst the loss of the attractive church building is regrettable, any future restorations/donations would be a private matter for the land owner to determine, as would any legal covenants.
- With regard to the issues raised by objectors in respect of the value of existing properties in the locality being reduced and views from neighbouring properties being obscured, these are not material planning considerations and cannot be taken into account during the determination of the application.

Section 106 Contributions / Planning Obligations

Section 106 (S.106) of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, states that a planning obligation, under S.106, may only legally constitute a reason for granting planning permission if it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and,
- fairly and reasonably related in scale and kind to the development.

Planning Policy Wales advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's adopted Supplementary Planning Guidance: Planning Obligations.

In this case the developer will be required to enter into a S.106 agreement with the Council to maintain the proposed development as social housing in perpetuity. It is considered that this requirement meets all of the above tests and is compliant with relevant legislation.

Community Infrastructure Levy Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however the application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones and proposes 100% affordable housing where a £nil charge is applicable. Therefore no CIL is payable.

Conclusion

Whilst the loss of the existing historic building is regrettable and it is accepted the scheme will inevitably result in a considerable alteration to the current character and appearance of the site and its immediate surroundings, it is considered the proposed building would form an attractive feature within the locality and a natural rounding off Church Terrace with Station Road. Furthermore, it is considered the use of appropriate, traditional design features and finishing materials will ensure the resulting building is generally in-keeping with the character and appearance the surrounding area.

Additionally, whilst it is accepted a degree of impact would inevitably occur to the amenity and privacy standards currently enjoyed by nearest surrounding residents, it is not considered any impact would be so detrimental as to warrant refusal of the application.

Finally, it is not considered the proposed development would result in a detrimental impact upon pedestrian and highway safety in the vicinity of the site.

Consequently, whilst the concerns raised by the objectors are acknowledged, the proposal would be compatible with surrounding land uses and is generally considered

to be in accordance with the relevant local and national planning policies. The application is therefore recommended for approval, subject to the S.106 agreement set out above and the conditions detailed below.

RECOMMENDATION: Approve, subject to Section 106 Agreement

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:

- A001
- A002 Rev. C
- A003 Rev. B
- A004 Rev. B
- A005 Rev. B
- A006 Rev. B
- A007

and documents received by the Local Planning Authority on 19/12/18, 20/12/18 and 08/02/19 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. No development shall commence on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The residential units hereby approved shall not be brought in to beneficial occupation until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No works to which this consent relates shall commence on site until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: As the building is of architectural and cultural significance the specified records are required to mitigate impact, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

5. No development works shall commence on site, including demolition and site clearance, until full details of the proposed precautionary and enhancement bat mitigation measures set out in the submitted Bat Report (Dusk to Dawn Ecology Ltd, October 2018) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation measures thereafter, and the mitigation shall be installed on site prior beneficial occupation of the first unit

Reason: In the interests of ecology and to afford protection to animal species in accordance with Policies AW8 of the Rhondda Cynon Taf Local Development Plan.

6. No development works shall commence on site, including demolition and site clearance, until full details of the proposed sound proofing mitigation measures to be introduced set out in the submitted Environmental Noise Assessment (Acoustic Consultants Ltd, October 2018) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation measures thereafter, and the mitigation shall be installed on site prior beneficial occupation of the first unit.

Reason: In the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. No development or site clearance shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason: To ensure that the new development will be visually attractive and to mitigate against the loss of existing mature trees on site, in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development site die, are removed or become seriously damaged or diseases shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the new development will be visually attractive and to mitigate against the loss of existing mature trees on site, in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the submitted proposed site layout plan (A002 Rev. C), prior to any works commencing on site, full engineering design and details of the

new 2m wide footway fronting Church Terrace and the vehicular crossover serving the car park shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the first residential unit.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taff Local Development Plan.

10. No development shall commence on site, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for:
- a) the means of access into the site for all construction traffic;
 - b) the parking of vehicles of site operatives and visitors;
 - c) the management of vehicular and pedestrian traffic;
 - d) loading and unloading of plant and materials;
 - e) storage of plant and materials used in constructing the development;
 - f) wheel cleansing facilities;
 - g) the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of highway safety and free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. Before the first residential unit hereby approved is brought into beneficial occupation, the means of vehicular and pedestrian access, together with the parking and turning facilities, shall be laid out in accordance with the submitted plan ref. A002 Rev. C and approved by the Local Planning Authority. The car parking spaces shall remain for the parking of vehicles only thereafter.

Reason: In the interests of highway safety and to ensure vehicles are parked off the highway, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the LPA.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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PLANNING & DEVELOPMENT COMMITTEE

9 MAY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0071/10
(LJH)
APPLICANT: **Concrete Canvas Group Ltd.**
DEVELOPMENT: Install profile steel cladding and acoustic and thermal insulation over the existing cladding on the walls of the highbay unit & install 3 silos on west side of unit and 1 silo on the south east side of the unit (southern end) (amended plans received 07/03/2019).
LOCATION: **FORMER CRABTREE AND EVELYN OVERSEAS LTD, COWBRIDGE ROAD, TALBOT GREEN, PONTYCLUN, CF72 8HL**
DATE REGISTERED: 18/01/2019
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS

REASONS:

The proposed re-cladding and installation of the silos would support the continued use of an industrial unit. The proposal raises no adverse planning concerns and the application is therefore considered to comply with the relevant policies of the Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

The application is presented to Committee as three or more letters of objection have been received.

APPLICATION DETAILS

Full planning permission is sought for the erection of 4 no. silos and installation of cladding to an existing industrial unit on Cowbridge Road, Talbot Green, Pontyclun. Three silos (nos. 2, 3, & 4) are proposed to be sited adjacent to the western facing rear elevation and the fourth (no. 1) is proposed to be sited to the south of the unit on

the eastern facing elevation of the highbay section. Silos 1 & 2 would contain cement in dry powder form, silo 3 would contain sand, and silo 4 would contain polymer pellets. Silos 1 & 2 would measure 13.625m in height with a diameter of 3.5m and silos 3 & 4 would measure 15.010m in height with a diameter of 3.66m.

The proposed cladding and thermal insulation would be installed on the walls of the highbay unit only and would be installed over the existing steel profile cladding. The south elevation of the highbay would also have acoustic rated insulation installed.

SITE APPRAISAL

The application site relates to a large factory unit located on the main road leading to the village of Pontyclun. The site is accessed from Cowbridge Road and has a large parking area to the north. The unit is split into two distinct elements with a single storey area along its front and a larger two storey area to the rear. The site is currently used by the applicant on a small scale however these changes would allow for the unit to be brought back fully into beneficial use. The site is well screened from Cowbridge Road by existing boundary fencing and hedges. The unit is set back from the highway by a minimum of 23 metres with car parking and the external breakout area located between.

Immediate neighbouring properties are commercial units with the closest neighbouring residential properties located at Pant Y Dderwen and Ynysddu. The closest property in Pant Y Dderwen to the south-west corner of the Concrete Canvas building being 14 metres to the south and the closest property in Ynysddu being 42 metres away to the west on the other side of the River Ely.

PLANNING HISTORY

The most recent planning applications that have been made at the site are as follows:

| | | |
|---------|---|--------------------------------------|
| 18/1067 | Minor internal & external alterations including raising existing flat roof, replacement windows and external doors, new glazed entrance lobby, alterations to external break-out area and site signage. | Approved with Conditions 19/11/18 |
| 17/1358 | Certificate of Lawful Development for a proposed B2 usage. | Approved with Conditions 19/01/18 |
| 12/0756 | The renewal/upgrade of plastic coated steel mesh fencing (113m) to palisade fencing at the rear of Crabtree & Evelyn to match the existing front perimeter fencing. | Approved with Conditions 03/09/12 |

CONSULTATIONS

Highways and Transportation Section – no objections or conditions suggested

Public Health and Protection – no objection subject to conditions and an informative note.

The Coal Authority – no objection

Natural Resources Wales – no objection.

Western Power – no objection.

Wales & West Utilities - no objection.

Flood Risk Management – no objection or conditions suggested.

Dwr Cymru/Welsh Water – no objection, a plan has been provided indicating apparatus that crosses the site.

Pontyclun Community Council – no comments to make.

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. Thirteen (13) letters of objection have been received from twelve (12) persons and are summarised as follows:

Location and Appearance of Silos

- The southern side of the building is already the closest part to a residential area, the silo will bring it closer. There is ample land on the opposite side of the factory and things could easily be re-shuffled to accommodate the silos and production away from residential properties and the river.
- The plans show all silos as being taller than the current building. I object to the increased proximity of the structure and the increased height which will make it an oppressive structure and impact on the peaceful enjoyment of my property.
- The proposed silos would be located at the end of a number of residents gardens, having a detrimental impact on quality of life and property values.
- The visual appearance of these silos is also a concern, which would each be 42 feet in height and would have an adverse and overbearing effect that would result in an unduly oppressive living environment. At the moment Concrete Canvas is based on the Industrial Estate in Treforest and is totally out of character and not suitable to be situated in a residential area.
- While the rationale for having the same colour for both installations is rational and aesthetically acceptable the choice of a blue colour is inappropriate for a residential setting causing a visual blight for the adjacent residential properties. Presumably the choice of blue based on a desire to perpetuate a corporate colour scheme rather than a colour scheme which is in keeping with the environmental backdrop. Maintaining a consistent base colour in keeping with the overall building would be less objectionable.

Noise

- The increased noise of heavier industrial usage. Crabtree and Evelyn were a quiet manufacturer and in the last couple of years distribution only of beauty products. Production was only previously undertaken inside the factory, but with the silos outside the factory, this is a change of use. I presume this will be a much heavier industrial manufacturing.
- Noise disturbance from the proposed use will affect living conditions. Specifically, an increased number of articulated lorries at the site where large tankers will be transporting cement, sand and granules within a few metres of my back garden.
- The applicant has stated the hours of operation for the non-residential use are unknown. This is evidence that the application is poorly thought through since hours of operation of an industrial activity is a material planning consideration which should be clarified before an application is determined in order for appropriate conditions to be applied if needed.

Deliveries

- The transport of tankers directly behind my back garden. Crabtree and Evelyn the previous owners did not permit lorries or any transport as a right of way or for access behind the back of the factory. They were respectful in this regard and when they did have lorries which wouldn't be every day, they made sure the lorries did not remain for long behind our back gardens and they reversed to the delivery bays.
- There is a huge concern with regards to frequent heavy duty tanker lorries on ground so close to residential properties and the long term effects and damage of vibration potentially cracks in walls, subsidence etc.
- The recent loan of the site to the Postal Service prior to Christmas was unbearable which we had not been notified of either. I have two young children and the lorries at night caused disturbed nights for all. Crabtree and Evelyn only operated in the day and it is a concern if there will be production at night time with Concrete Canvas and tanker deliveries.
- Lorries enter the site via the gate at rear of my house and drive around back of building to silos. The access road gets narrower at the back of the building leaving no room for turning, forcing all lorries to reverse out resulting in noise pollution and vehicle emissions.

Pollution

- We are extremely close to a river which is a habitat for birds and other wildlife and my view is that it is likely concrete dust in the air would have a negative impact on this.
- Pollution and potentially carcinogenic cement dust, tanker petrol fumes etc. are a huge concern and likely a high risk. This is not only a concern for residents, but also for pedestrians using the river bypass path that the council invested in to benefit the town and a lovely river walk used by many of the town's residents and bicycle path for the local community. There are many birds residing in the trees along the river plus bats in the evening and there must be a high pollution risk to wildlife as well as residents. Also a risk to the river and watercourse.

- Also, there is the problem of the children entering and leaving Y Pant school who would also be subjected to this potential air pollution on a daily basis. The area already suffers with heavy congestion at school opening and closing times during the week, and additional articulated lorries will worsen this, again with potential pollution implications. I am also concerned that the dust and pollution could contaminate the River Ely, which is directly adjacent to the proposed silos.
- As you will be aware there are bats around the area of Cowbridge Road. It is illegal to disturb a group of bats or damage or destroy a place used by bats for breeding or resting. There are concerns that this planning application if passed could affect the bats' natural habitat.

Trees

- The application form states that no trees need to be removed.
- Two trees higher than the factory were removed last August by Concrete Canvas, trees which I had previously sought advice from a tree surgeon who advised they were illegally high so close to residential properties. Therefore, the silos would be too high also so close to residential properties and in a storm could collapse and fall onto our properties.

Use of the site

- The change to B2 usage was done in advance of this application. No planning notice was delivered to inform us of this. There is a significant change from a warehouse based packaging/distribution operation to one where industrial processes are used and placed outside the building. The company was clearly aware of the plans to place the silos but chose to deliver this in stages.
- The General Class Use order 1987 and subsequent amendments which the local planning authority have relied upon to suggest that the bulk handling of cement powder falls within B2 – General industrial, also specifies a range of other class uses from B1 to B8. A change of use from one class use to another is not permitted without specific consent. In the case of Class Use B5 - Special Industrial Group C there is clear reference to the production of cement falling within that use group and given that the applicant's business is the production of a cement-based product it follows that at the very least this should have triggered a consideration of a change of use to B5.

Other Issues

- There is no DAS submitted with this application. The Local Planning Authority's failure to ensure, during its validation process, that a DAS was included with the application has the effect of compromising its own ability to determine the application taking into account all material planning considerations. Its omission has also compromised the ability of consultees to comment effectively on the application in relation to the material planning considerations that relate to residential amenity. Finally, and perhaps most significantly, it is noted that when the applicant submitted a planning application (Ref. 13/0595/10) for the installation of a 100 ton silo at its current site at Treforest Industrial Estate in 2013 (which is presumably the silo they are proposing to move to the Pontyclun site), a design and access statement was included with the application. It is surprising and

incongruous that a DAS was considered necessary when applying for consent to install a silo within an industrial estate but not necessary when proposing to install the very same silo within close proximity to residential dwellings.

- It is regrettable that Concrete Canvas did not undertake the requisite consultation with neighbours prior to submitting this planning application. It puts the applicant in a poor light as a considerate neighbour and their approach contrasts poorly with that of the Leekes Store (who is further away and less impactful) who consulted to neighbours in Pant y Dderwen prior to submitting their planning application for developing their site. Had such a pre-application consultation taken place, there would have been an opportunity to resolve some of the concerns this application has raised including the choice of an alternative colour for example, light grey for the proposed cladding and alternatives for locating the silo such as within the confines of the building or the northern side of the unit for example, where there is no impact on residential amenity.

Following receipt of amended plans to move silo 1 to the eastern elevation to the south of the unit, the consultation process was repeated and seven (7) letters of objection have been subsequently received which are summarised as follows:

Location and Appearance of Silos

- Silos 2, 3 and 4 are very close to our house and garden. The proposed location of the silos are only 25 metres from our garden. The filling of these and the associated lorries and machinery needed, will drastically increase the noise and pollution levels for us, our neighbours, and users of the 2 footpaths that run within yards of the proposed site.
- The description of the colour is also significant; blue covers a wide range. The current cladding is light grey making it relatively inconspicuous against the sky. The planned colour is a bright blue. A vivid primary colour is an altogether different vista.
- We would wish to reiterate all the points previously made about the unsuitability of the siting of the silo at the southern elevation since the negative impact on residential amenity has been greatly and unnecessarily magnified by the proposed amendment.
- This proposed revised location of the silo will have the effect of broadening the structure and have a negative impact on the light on my property. It is for this reason I also object to the blue cladding. The factory is currently a very pale grey, which is generally the same colour as the sky. To have a darker blue cladding would also impact upon the light in my property.
- The position of the South end silo is preferable to the original plan but this does not make it desirable. I remain unconvinced that any silo could not be placed elsewhere on the premises and have not seen any evidence that the proximity to the sewer prevents this. If it was the case then much of the building is constructed within the easement zone. I understand that the design takes into account the 3 metre easement area but this does not mean it should be placed in such close proximity to the residential area.

Noise

- My previous concerns still stand especially environmentally, noise disturbance, vibration of the land, and opening/production operational hours which have not been detailed by Concrete Canvas.
- I have major concerns regarding the vibration of the land and potential damage to our homes in the future. I have heard of incidents where ceilings have collapsed in houses next to roads used for heavy lorries for a long period of time and this greatly worries me significantly with the planned proposal for the lorries/tankers passing directly behind my back garden fence. We have not been used to such level of lorries/tankers by the previous owners Crabtree and Evelyn nor did they bring their lorries behind the factory passing the back of our gardens and it is upsetting me now thinking of the impact it will have on our quality of life within our own homes.
- There has been no indication of the opening hours or production hours in the application. It does not state if there will be production at night time which could be a significant noise level even with the proposed sound proofing. I have young children and the Royal Mail lorries throughout the night before Christmas caused disruptive sleep. Crabtree and Evelyn did not have lorries at night time or in the evenings or weekends. This is not an industrial site and is amongst residential properties and surely a duty of care to those residents and community is a priority.

Deliveries

- With regard to the proposal for 3 silos on the West side of the high-bay unit, access to that area is extremely limited, as illustrated in the relevant site plans. Any difficulties in manoeuvring tankers within such a restricted area will inevitably result in increased noise and air pollution. In response to Question 20 on the Application Form, the Applicant states, "The tankers used will reduce the number of vehicle movements and the unloading time when vehicles are on the site..." This seems to imply that taking into account the size of the proposed silos; the tankers will need to be of sufficient size and capacity to meet the demands of the process.

Pollution

- I am greatly concerned regarding the long term effect of emissions on our health and my children's health. A small risk is still a risk and the nature of the production of this company causes me a great concern, also to the many residents in the community who use the path alongside the river behind the factory, plus the many wildlife that surrounds the river.

Drainage

- It must also be noted that the area referred to at 3. above is currently unmade-up ground. Any improvement to the surface within that access area be it concrete, tarmac or any other material, will require adequate drainage in order to deal with resultant surface water. There does not appear to be any reference to such improvements within the application.

Other Issues

- It is still remarkable that the LPA continues to disregard planning regulations and guidance by presenting a planning application without an appropriate Design and Access Statement (DAS) and which still contains the inaccuracies

previously highlighted (such as presence of trees etc.). The lack of a DAS fundamentally compromises the ability of those who wish to comment on the potential impact of the development to do so. This would be an injustice to all residents affected.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary and is unallocated.

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting development within defined settlement boundaries.

Policy AW2 - supports development in sustainable locations and includes sites that are within the defined settlement boundary and would not unacceptably conflict with surrounding uses.

Policy AW5 - lists amenity and accessibility criteria that will be supported in new development proposals.

Policy AW6 - lists design and place making criteria that will be supported in new development proposals.

Policy AW7 - aims to protect and enhance the built environment including public rights of way.

Policy AW10 - states that development will not be permitted where they would cause or result in a risk of unacceptable harm to health and/or local amenity because of issues including air, noise or water pollution.

Policy AW11 - discusses the need to maintain employment uses within existing employment sites.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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 site is an established industrial unit which can be lawfully put to a general industrial use (B2) within the Southern Strategy Area. It sits within the settlement boundary. The proposal would enhance and support the re-use of the existing industrial unit that currently lies vacant. A core aim of The Local Development Plan (LDP) seeks to 'realise the importance of the Principal Town of Llantrisant/Talbot Green as an area of social and economic growth with Policy AW 11 of the LDP recognising the need to maintain and improve identified employment sites. The proposal clearly accords with the key requirements of planning policy and is therefore considered acceptable in principle.

Impact on residential amenity and privacy

The site is situated within an established industrial area with surrounding land uses being a mixture of industrial, commercial, and residential in nature. The re-cladding to the highbay section of the unit will have a minimal material impact on the massing and overall size of the building. The cladding proposed to the south elevation of the highbay unit is acoustic rated cladding and is proposed to be installed to restrict the noise levels to those previously occurring at the site.

With regards to the proposed silos which most of the objections focus on, it is appreciated that the proposed location of silo 1 in particular is in close proximity to the nearest residential properties in Pant Y Dderwen, the relocation of silo 1 has been explored however, due to constraints such as Welsh Water apparatus and the locations of internal plant it is not feasible to relocate it. Furthermore, it is not considered that the scale and design of the silos would be so incongruous as to warrant refusal of the application. The use of the site for B2 purposes is well

established and has been in place before the construction of the residential properties nearby.

Regarding the proposed colour of the cladding and silos which a handful of objectors comment on, the proposed colour is Blue (RAL 5012) which matches the colour of the company logo. It is appreciated that the colour change from the now faded steel cladding to a blue cladding will be quite a difference, however, it is not considered that it would impact so greatly on residential amenity that it warrants refusal of the application.

Given the siting of the planning application on an established industrial site and the nature of the works in this instance, the proposal raises little concern in terms of the likely impact on residential amenity and privacy.

Impact on the character and appearance of the area

The proposal is considered to be in keeping with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan in terms of its impact on the character and appearance of the area for the following reasons;

The proposed cladding and silos are considered to have an acceptable impact on the character and appearance of the surrounding area and the proposal for the erection of the silos is considered to be in keeping with the industrial character of the site. Three of the four silos will be sited on the western facing rear elevation of the building and therefore will not be visible from the front of the site and will not impact on the street scene. The silo on the south will be partly visible from the front of the site, however, it is not considered to be so incongruous as to warrant refusal. It is noted that all four silos will be viewable from public areas, mainly from the footpath along the River Ely which follows the rear boundary of the site.

The application proposes improvement works to the existing building that are in-keeping and compatible with the wider industrial setting of the application site. The change proposed as part of the external works is that the walls of the highbay will be re-clad. Such a change raises no significant visual amenity concerns as the proposed colour of the cladding being blue (RAL 5012) is also considered acceptable.

Overall, the development is considered acceptable in visual terms.

Public Health and Protection

Following consultation with the Council's Public Health and Protection Section no objection has been raised subject to conditions relating to demolition, hours of operation, noise, dust, and waste during the construction phase. Whilst these comments are appreciated the issues can be controlled more effectively by other legislation and therefore the conditions will not be appended however the applicant will be made aware of the requirements through informative notes.

Further conditions relating to noise from operations/deliveries are suggested. The first condition requires that an acoustic report including details of any mitigation measures is submitted and agreed in writing by the Local Planning Authority prior to

commencement. This condition will be appended alongside a further condition restricting deliveries to daytime hours only, for example between 08:00 and 18:00 Monday to Friday and 08:00 to 16:00 on Saturdays with no deliveries to take place on Sundays or Bank Holidays.

An informative note regarding contaminated land will also be appended to any consent if Members are of a mind to support the proposals.

Issues raised by objectors

Location of Silos

Many objectors query the need for silo 1 to be located on the elevation nearest to Pant Y Dderwen. The developer has submitted a Welsh Water plan which indicates the line of the public sewer which runs along the north elevation. Therefore the developer is restricted by this and cannot site the silos on the north elevation as many objectors suggest. The developer has also stated that they are restricted by the proposed internal layout of the production line and states that a silo is required on the south elevation to feed that part of the production line hence the proposed location for silo 1. The amendment to place the silo towards the loading bays on the east elevation on the south section of the highbay unit is considered acceptable as it moves the silo further away from the residential properties in Pant Y Dderwen.

Noise and Disturbance

Many objectors raise the issue of noise disturbance and disturbance from deliveries to the site. As stated above the developer will be required to submit an acoustic report to be agreed in writing by the Local Planning Authority and the deliveries will be restricted to daytime hours only by condition.

Pollution

Many objectors also raise concern regarding cement dust entering the air and causing a health risk and polluting the River Ely and local wildlife. The developer has made an application to the Council's Public Health Section for a permit for the handling of bulk powder and cement under the LAPPC (Local Air Pollution Prevention and Control). The environmental permit will involve inspections by the Authority and the developer states that on their current site (Treforest) they have never had a significant release of dust and based on their equipment, procedures and track record from inspections they have the lowest risk rating. Accordingly, there should be no detectable effect on air quality outside the site as a result of the silos.

Hours of operation/Deliveries

Some of the objectors query the hours of operation at the site. The use of the site within the B2 use class is unrestricted due to the history of the use of the site. Therefore it would be unjustified and unreasonable to condition the hours of operation given that the application only relates to the installation of the cladding and the silos and not to the actual use of the site. It is however considered that the hours of deliveries to the site be conditioned to daytime hours only as stated above.

Trees

The objectors state that there were previously two trees at the site which were felled prior to the submission of the planning application. There is evidence on site that this is the case, however, the trees were not subject to a Tree Protection Order and therefore consent was not required to remove the said trees.

Design and Access Statement

Two of the objectors make reference to the fact that they believe that the proposed development requires the submission of a Design and Access Statement and without this the objectors have been prejudiced.

The regulations relating to Design and Access Statements have been considered and officers are of the opinion that a DAS was not required for the type and scale of development proposed. The statutory requirement to submit a Design and Access Statement changed on 16th March 2016, the requirement to submit a DAS now only applies to Major Applications, applications in a Conservation Area or World Heritage Site, and applications for Listed Building Consent. The proposal does not fall within any of these categories and therefore a Design and Access Statement was not required.

Change of Use

Objectors also query whether there has been a change of use at the site. The previous use at the site when it was occupied by Crabtree & Evelyn fell within use class B2, the proposed use of the site by Concrete Canvas also falls within use class B2 and therefore no consent is required for a change of use. In addition a Certificate of Lawful Use application was submitted to determine the Lawful Use of the site and it was deemed that the lawful use was B2 and a Certificate of Lawfulness was issued by the Local Planning Authority.

Whilst objectors have referred to the proposed development as falling within use class B5, Members are reminded that Special Industrial Use Classes B3-B7 were incorporated into the B2 Use Class by the Use Classes (Amendment) Order 1995.

Drainage

One objector raises concern that the area to the rear of the building is 'unmade' ground i.e. has not been laid to hard surface and has concern that if it was to be hard surfaced then adequate drainage will be required. The applicant has not proposed to hard surface this area and therefore this concern is unfounded.

Pre-application Consultation

One objector points at the fact that pre-application consultation was not undertaken prior to the submission of the planning application. Pre-application consultation with neighbours is not a requirement for this type of application and it would have been at the discretion of the Applicant whether to carry out such an exercise

Other Issues

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

Flood Risk

Natural Resources Wales noted in their response that the application site lies partially within Zone C2 as defined by the Development Advice Map. Given the nature of the proposed development (alterations to the existing external walls, and the proposed silos are to be located in an elevated position on an open structure), and in the absence of a flood consequence assessment, they consider the risk could be acceptable subject to the developer being made aware of the potential flood risks.

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 the principle of the development, the impact on neighbouring properties, and in visual and highway safety terms

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

and documents received by the Local Planning Authority on 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 beneficial use of the silos and their associated plant, an acoustic report detailing any mitigation measures required to minimise any noise

nuisance that may arise during the operation of the proposed silos and their associated plant, must be submitted to the Local Planning Authority for approval. The parameters of the acoustic report must be agreed with the Local Planning Authority beforehand. Any mitigation measures identified must be carried out before beneficial use of the silos and be maintained for so long as the silos and their plant remain operational.

Reason: To ensure that the noise emitted from the development does not become a nuisance to neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taff Local Development Plan.

4. Deliveries to the site shall only take place between the hours of 08:00 to 18:00 Monday to Friday, 08:00 to 16:00 on Saturdays, and not at all on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that noise and disturbance from deliveries does not become a nuisance to neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taff Local Development Plan.

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