

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2019/5389	<u>DATE:</u> 26/09/2019
PROPOSAL:	Retention of existing detached outbuilding plus single-storey side extension to connect it with main building to facilitate relocation of kitchen into outbuilding; construction of 2m high fence & gate to enclose external storage area; insertion of door in lieu of window to side elevation of main building
LOCATION:	Tourist Information Centre Pontneathvaughan Road Glynneath SA11 5NR
APPLICANT:	Mr G Richards
TYPE:	Full Plans
WARD:	Glynneath

BACKGROUND INFORMATION

This application is reported to committee for decision on the basis that it is a property which is owned by the council and has been the subject of enforcement complaints. For this reason a previous application seeking to regularise development at the site was also previously reported to Committee. It should be noted that this application seeks consent to regularise matters relating to the detached building, along with permission for new development, in an open and transparent manner.

SITE AND CONTEXT

The application site is located at the former Tourist Information Centre, Pontneathvaughan Road, Glynneath (now known as Sgwd Gwladys). It measures approximately 0.036 hectares in area and comprises a two storey converted former farm building located along the north eastern side boundary of the site. There is also a small single-storey wing of the building located on the south western side of the building that is used as the entrance/kitchen. The building adjoins an adjacent concrete block and metal sheet farm building along the south eastern boundary, but this is outside of the application site. Externally, within the grounds of the property, there is a detached outdoor servery and storage building, together with external seating and a totem sign.

DESCRIPTION OF DEVELOPMENT

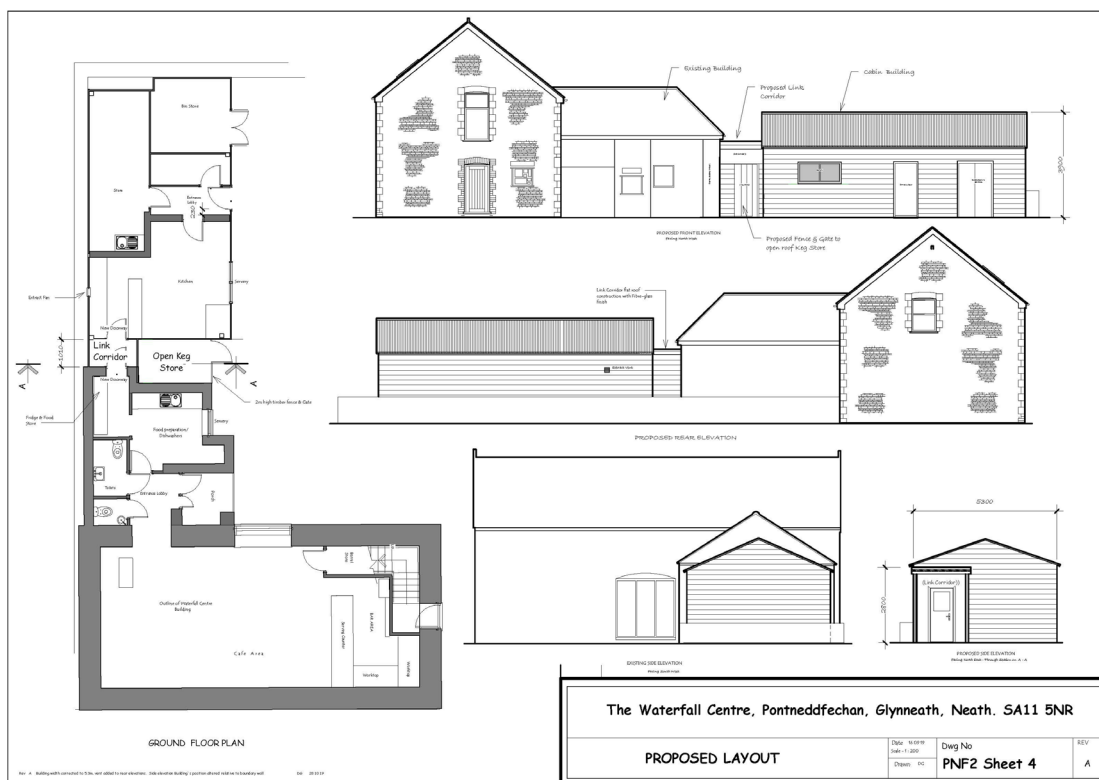
This is a full planning application for the retention of an existing detached outbuilding, plus construction of a single-storey side extension to connect it with the main building to facilitate the relocation of the kitchen into the outbuilding. It also seeks consent for the construction of a 2m high fence and gate to enclose the external storage area, plus the insertion of a door in lieu of a window to the side elevation of the main building.

Members should note that following the granting of planning permission ref. P2018/0860 (which approved the retention and alteration of the detached storage building/servery with new pitched roof in lieu of seating area and stepped access) works have been undertaken to the detached outbuilding to reduce its height etc. However, as part of the ongoing enforcement investigation it has been identified that the building has not been constructed in accordance with the approved plans – hence the submission of this application.

The building measures 9.7m in length by 5.3m in depth and 3.9m in height and is currently approved and used for food storage, bin storage and a servery area. However, following an inspection from the Council's Food Safety Team it has been identified that there is a need to provide enhanced/larger kitchen facilities at the property to comply with relevant standards. The proposal is now therefore to install a window (in lieu of the existing kitchen window) to the side of the property to allow access (via a new covered link corridor) into a replacement kitchen located in the existing servery area - which is larger in size to meet Food Safety's requirements.

The existing 'kitchen' area would then be converted into a food storage, dishwashing and preparation area with the existing window now used as a servery hatch (e.g. for ice creams). In front of the proposed link it is proposed to create an open 'keg' storage area screened by a 2m high timber fence with gate.

It should be noted that all other matters relating to car parking and the use of the building would be as approved under Planning Application ref. P2018/0860. Compliance with such requirements has been the subject of formal enforcement action through the service of a Breach of Condition Notice on the operators.



All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

NEGOTIATIONS

Not Applicable.

PLANNING HISTORY

The application site has the following relevant planning history: -

- P1987/0697 – Tourist and Visitor Information and Interpretive Centre. Approved 11/12/87.
- P2017/0310 - Change of use of former Tourist Information Centre to a mixed use café (Use Class A3) on ground-floor and tourist residential lodging accommodation at first-floor (Use Class C3). Approved 16/05/17.
- P2017/0505 - Details to be agreed in association with conditions 3 (Bin storage), 4 (parking scheme), 6 (delivery management plan) and 7 (car parking management scheme) of planning permission P2017/0310 granted on 16/05/2017. Approved 12/06/17.

- P2017/0805 - Non-material amendment to P2017/0310 to allow change of window to door - facilitating access to bunk house. Approved 29/08/17.
- P2017/0837 - Variation of Condition 9 (Opening Hours) of Planning Application P2017/0310 granted on 16/05/17 to allow extended operating hours from 18.00pm to 23.00pm. Approved 22/09/17.
- P2018/0859 - Retention of 1 x externally illuminated fascia sign; 6 x non-illuminated signs and 1 x non-illuminated totem sign. Approved 04/12/18.
- P2018/0860 - Retention of premises as café/restaurant/bar (Use Class A3) with tourism accommodation at first-floor (Use Class C1); retention and alteration of detached storage building/servery with new pitched roof in lieu of seating area and stepped access, plus formation of dedicated parking area for 6 vehicles on land to the north-east of the Angel Hotel and one disabled persons parking space on site. Approved 15/01/19.
- P2019/0377 - Non-Material Amendment to Planning Application P2018/0860 relating to the in-filling of the front elevation of the storage/servery building with timber plus insertion of door and window. Approved 03/05/19.
- P2019/0344 - Details to be agreed in association with Conditions 4 (Materials); 5 (Construction Method Statement) and 6 (Fuel Spill Procedure) of Planning Permission P2018/0860 granted on 15/01/19. Approved 14/05/19.

CONSULTATIONS

Brecon Beacons National Park: No objection.

Environmental Health Section: No objection, subject to conditions.

Contaminated Land Unit: No objection, subject to a condition.

Head of Engineering & Transport (Highways): No objection.

Glynneath Town Council: No response, therefore no observations to make.

REPRESENTATIONS

A site notice was also displayed on 27/09/19. In response, to date, no representations have been received.

REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

National Planning Policy:

[Planning Policy Wales](#) (Edition 10) was extensively revised and restructured at the end of 2018 to take into account the themes and approaches set out in the Well-being of Future Generations (Wales) Act 2015, and to deliver the vision for Wales that is set out therein.

PPW10 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

PPW is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- Technical Advice Note 12: Design

Local Planning Policies

The Development Plan for the area comprises the [Neath Port Talbot Local Development Plan](#) which was adopted in January 2016, and within which the following policies are of relevance:

Strategic Policies

- Policy SP6 Development in the Valleys Strategy Area
- Policy SP13 Tourism
- Policy SP14 The Countryside and the Undeveloped Coast
- Policy SP15 Biodiversity and Geodiversity
- Policy SP20 Transport Network

Topic based Policies

- Policy SC1 Settlement limits
- Policy TO1 Tourism Development in the Countryside
- Policy EN5 Conversion and Extension of Existing Buildings in the Countryside
- Policy TR2 Design and Access of New Development
- Policy BE1 Design

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Parking Standards \(October 2016\)](#)
- [Design \(July 2017\)](#)

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, the amenities of neighbouring residents and highway safety.

Principle of Development

It is noted that the application site is located outside the settlement limits defined by Policy SC1 of the adopted Neath Port Talbot Local Development Plan (LDP). Nevertheless, the use of the existing building as a café/bar/restaurant with tourism accommodation above, together with the retention and alteration of the outbuilding, has previously been approved as development which complies with one of the permitted exceptions defined within Policy SC1. As this new proposal only seeks approval of minor changes to the approved building itself, and the inclusion of a kitchen within the building (with other associated changes) forms part of the wider approved use for the site, it is

considered that there remain no objections to the principle of development since it continues to comply with Policy SC1.

Accordingly, the general principle is therefore acceptable, provided there are no overriding highway, amenity or environmental objections.

Impact on Visual Amenity

It is considered that the retention and alterations to the 'detached' storage building/ servery would be akin to the appearance of the existing agricultural buildings immediately adjacent to the site and, as such, are acceptable in terms of visual amenity. Furthermore, it is considered that the small increase in external dimensions and additional alterations proposed, including insertion of a door and provision of link corridor and keg store, would also be acceptable in terms of visual amenity. As such, the overall development would not be out of keeping with the character and appearance of the area.

Impact on Residential Amenity

It is noted that the application site is located approximately 25m away from the closest part of The Angel Inn, which is a Public House located on the northern site of Pontneathvaughan Road, and approximately 90m away from the closest residential property. Furthermore, the existing main building also adjoins farm buildings. As such, it is considered that the retention of the 'outbuilding' plus other alterations, including re-location of the kitchen area, would not result in any unacceptable overlooking, overshadowing or overbearing issues. It is also considered that the level of noise and disturbance associated with the overall development would be comparable to that of the previously approved use and the Public House opposite. As such, it is considered that the proposed development would have no detrimental impact upon the amenity of the occupiers of the adjacent properties.

It should also be noted that the Environmental Health Section offers no objection subject to a condition relating to the provision of an extraction/odour control scheme. This matter has been discussed with the developer in conjunction with the Environmental Health Officer and the developer has confirmed that they would look to install professional catering style/size extraction equipment internally with the necessary odour control functions (e.g. filters) which would require a small ventilation grille to the rear elevation and avoid the need for an external chimney flue (which would have consequential visual impacts).

Parking and Access Requirements and Impact on Highway Safety

It should be noted that the parking arrangements for the property including 'off-site' parking bays and provision of an 'on-site' disabled space would remain as approved under Planning Application P2018/0860. The provision of these remains the subject of ongoing enforcement action.

Due to the scale and nature of this development the Head of Engineering and Transport (Highways Section) offers no objection. It is therefore considered that there would be no detrimental impact upon highway or pedestrian safety.

Contaminated Land

It should be noted that the application site has been identified as potentially contaminated land. However, the Contaminated Land Unit offers no objection to the proposal, and as such, it is considered that existing and future users of the site would not be adversely affected by ground contamination in terms of exposure to pollution.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the overall development would not have a detrimental impact upon residential amenity or upon the character and appearance of the surrounding area/open countryside, and there would be no adverse impact upon highway and pedestrian safety. Hence, the proposed development would be in accordance with Policies SC1, TO1, EN5, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION APPROVE subject to the following conditions

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans and documents:

Dwg. No. PNF2 Sheet 1 - Location Plan.

Dwg. No. PNF2 Sheet 2 - Existing Block Plan.

Dwg. No. PNF2 Sheet 3 - Proposed Block Plan.

Dwg. No. PNF2 Sheet 4 - Existing Layout.

Dwg. No. PNF2 Sheet 4 - Proposed Layout.

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Prior to works commencing on the link extension hereby approved a scheme for the extraction and control of cooking odours from the new kitchen shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the DEFRA document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems". Prior to the first beneficial use of the new kitchen the approved scheme shall be constructed, operated and maintained in accordance with the approved scheme, and retained as such thereafter.

Reason:

The increased kitchen area will require catering size/standard equipment and to protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy BE1 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 4 The linked outbuilding hereby approved shall be retained with grey galvanised roof sheets, and the walls will be finished with timber cladding stained dark grey/charcoal as approved under P2019/0344 granted on 14/05/19. The proposed link and fence hereby approved shall also be finished with timber cladding stained dark grey/charcoal to match those used in the existing linked outbuilding, and retained as such thereafter.

Reason:

In the interest of the visual amenity of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLG, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 6 The linked outbuilding hereby approved shall only be used as a kitchen and storage area/ bin store in connection with the use of the main building as a café/restaurant/bar, and the use shall be laid out and thereafter retained in accordance with drawing ref. PNF2 Sheet 4 (Proposed Layout).

Reason:

In the interest of clarity and to comply with the requirements of Policy BE1 of the Neath Port Talbot Local Development Plan.