



PLANNING COMMITTEE – 6TH AUGUST 2014

**SUBJECT: SITE VISIT - CODE NO. 14/0210/COU - FORMER POLICE STATION,
DYNEVOR TERRACE, NELSON, CF46 6PD**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151
OFFICER**

PRESENT:

Councillor D.G. Carter – Chair

Councillors Mrs A. Blackman L. Gardiner and Mrs J. Summers

1. It was reported that Councillor S. Morgan having declared an interest in that he has a similar business interest within the ward was not present at the site meeting and would not be present at the subsequent Planning Committee meeting.
2. Apologies for absence were received from Councillors Mrs. L. Aldworth, H. Davies, W. David, and N. George.
3. The Planning Committee deferred consideration of this application on 9th July 2014 for a site visit. Members and Officers met on site on Monday, 28th July 2014.
4. Details of the application to change the use of the Former Nelson Police Station (sui generis) to a pizza delivery/takeaway (use class A3), Dynevour Terrace, Nelson, Treharris, CF46 6PD were noted.
5. Those present viewed the site including the interior of the building and examined the plans submitted with the application to fully appreciate the proposals.
6. Members were asked to note the proposed opening hours were from 11:00 hrs to 23:00 hrs, 7 days per week. A vent and extractor fan would be attached to the side elevation of the property with other external alterations including the conversion of the integral garage into a cold store and washing up area. Dedicated car parking for the proposed development would be provided by two park parking space to the front of what was the current garage. This area was outlined for Members information and its dimensions illustrated.
7. The Local Ward Member for clarification advised that the B4255 and not the B4225 as noted within the Officer's report was the classified main road through Nelson. The Member also sought clarification as to the final occupant of the proposed developed and was informed that confirmation had just been received that this would be a Domino's Pizza takeaway outlet.
8. Members raised concerns in relation to highway safety and particular reference was made to delivery vehicles and customer parking. Concerns were also expressed with regard to the impact of the proposed development on residential amenity, primarily the noise, litter, odour and attraction of vermin that is often associated with a takeaway food establishment of this

nature. Officers confirmed that the proposed development incorporated the provision of two parking spaces with adequate on street and off street parking to support a take away business of this nature, as the site was adjacent to a Caerphilly County Borough Car Park. With regard to delivery vehicles it was noted that these would be conditioned to restrict the type and size of the vehicle delivering to the premises. The Officer confirmed that the site had been visited at different times and days in order to assess the car park usage and advised Members that although the centre of Nelson had been extremely busy during the assessment periods the car park in question had ample vacant spaces available.

9. In relation to the Environmental Health concerns, Officers confirmed that conditions would be attached to the application in relation to its extraction and ventilation systems, and a odour prevention scheme would also need to be submitted to and approved by the Local Planning Authority prior to the sites operation. All equipment would be checked to ensure its operations were within acceptable noise levels and should the applicant fail to meet this criteria then the appropriate action would be taken by the Environmental Health Department. It was noted that Environmental Health Legislation would apply to the developments working practices (food production, kitchen hygiene, waste management etc) and investigations would be undertaken should be applicant fail to meet any of these statutory requirements.
10. Clarification was sought in relation to the hours of operation and concerns expressed that the 11.00pm closing time, did not necessary mean that the premises would be closed at this point in time e.g. if a number of customers arrived at 10.55 p.m. requesting service then it could be an additional thirty to forty minutes before the establishment actually closed its doors. Officers confirmed that should Members be minded to grant the application an amended condition could be attached prohibiting members of the public from being on the premises at 11.00 p.m. this would provide a more definitive closing time and reduce the impact on residents. The Local Ward Member expressed concern with regard to the location and nature of the proposed development and emphasized that the residents of Dynevor Terrace, many of whom were older people, had no experience of a commercial enterprise operating so close to residential homes and felt that this would have a highly detrimental impact on their quality of life.
11. Officers confirmed that Nelson Community Council raised the following objections: - that it would have a detrimental impact on residential amenity, noise and smell nuisance, loss of privacy and an increase in traffic. Following advertisement to neighbouring properties and a site notice being posted, 38 letters of objection and a petition of 479 signatures had been received. Details of the objections are within the Officer's report.
12. The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, the application is considered to be acceptable and Officers recommended that permission be granted.
13. A copy of the report submitted to the Planning Committee on 9th July 2014 is attached. Members are now invited to determine the application.

Author: E. Sullivan, Democratic Services Officer, Ext. 4420
Consultees: T. Stephens, Development Control Manager
M. Noakes, Senior Engineer (Highway Development Control)
L. Cooper, Engineer (Highway Development Control)
G. Mumford, Senior Environmental Health Officer

Appendices:
Appendix 1 Report submitted to Planning Committee on 9th July 2014