



## **PLANNING & DEVELOPMENT COMMITTEE**

**18 JULY 2019**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 19/0218/10  
(JE)  
**APPLICANT:** Mr M Reynolds  
**DEVELOPMENT:** Change of use of two rooms within existing C3 dwelling to A3 cafe/coffee shop.  
**LOCATION:** 7 CARDIFF ROAD, TAFFS WELL, CARDIFF, CF15 7RA  
**DATE REGISTERED:** 04/03/2019  
**ELECTORAL DIVISION:** Ffynon Taf

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#### **RECOMMENDATION: APPROVE DUE TO THE FOLLOWING:**

##### **REASONS:**

The principle of the change of use is acceptable. Further, the proposed use is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan in regards to its impact upon residential amenity, character and appearance, and upon highway safety in the vicinity of the site.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

- A request has been received from the Local Ward Member for the matter to come to Committee for determination, in order that Members can consider the impact upon highway safety within the vicinity of the site.

#### **APPLICATION DETAILS**

Full planning permission is sought for the change of use of two rooms within an existing residential dwelling (Use Class C3) to a café/coffee shop (Use Class A3) at 7 Cardiff Road, Taffs Well, Cardiff, CF15 7RA.

The change of use would be facilitated by internal refurbishment of the property to create a public seating area and kitchen on the ground floor. The remainder of the ground floor and the first floor would remain unchanged as residential. In addition no external works are proposed/required.

The following opening hours are proposed:

Monday to Sunday – 08:00 – 18:00

## **SITE APPRAISAL**

The application property is an early 20<sup>th</sup> century two storey building located towards the centre of Taffs Well and forming part of the red-brick Bank Buildings adjacent to Cardiff Road.

Previously a retail shop, with residential accommodation to the first floor and rear ground, the principal elevation of the building retains a prominent double bay shopfront with a single, centrally positioned neo-Tudor bay window to the first floor.

To the rear of the site, the building benefits from a two storey offshot and enclosed rear garden, containing a detached garage and vehicular access to Leon Avenue. The property is located opposite the Taffs Well retail centre which extends to the north east along Cardiff Road.

Neighbouring buildings vary in scale, age and appearance, with a mix of uses primarily residential or retail. The properties include the attached architectural practice to the south-east, a large detached house 8.5m to the north-west, and a sports equipment store 16m to the south-west on the opposite side of Cardiff Road.

## **PLANNING HISTORY**

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

16/1369/09	PREVIOUSLY KNOWN AS BABY FAYRE, BANK BUILDINGS, 7 CARDIFF ROAD, TAFFS WELL, CARDIFF, CF15 7RA Certificate of Lawful Development for existing use as a dwelling.	Grant 03/02/2017
19/5011/41	7 CARDIFF ROAD, TAFFS WELL, CARDIFF, CF15 7RA : Property is currently registered as Domestic. Change of use to Coffee shop	Withdrawn by Applicant 11/03/2019,

## **PUBLICITY**

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

Two letters of objection have been received; one from the occupiers of a neighbouring property and one from Taff's Well Community Council. One letter of support has also been received from a local resident. The points raised are summarised below:

## Objection

- Exacerbate existing parking problems in the immediate area along Cardiff Road and Leon Avenue to the rear.
- Impact existing businesses through increased competition.

## Support

- Sustainable and accessible location
- Support the retail centre

## CONSULTATION

### Highways:

No objection subject to conditions.

### Public Health and Protection:

No objection subject to conditions.

## POLICY CONTEXT

### Rhondda Cynon Taf Local Development Plan

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

**Policy CS2** – sets out the criteria for development within the Southern 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 development proposals where they would cause or result in an unacceptable risk of harm to health and/or local amenity.

**Policy SSA16** – sets out the hierarchy of retail centres in the southern strategy area, listing Taff Well's local and neighbourhood centre at the bottom of the hierarchy.

### Supplementary Planning Guidance

- Design & Placemaking.
- Delivering Design and Placemaking: Access, Circulation & Parking Requirements.

### 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 5<sup>th</sup> December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act 2015 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 4 – Retail

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 18 – Transport

PPW Technical Advice Note 23 – Economic Development

## **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 seeks approval for a change of use at 7 Cardiff Road, converting the ground floor from C3 residential use into a 63 m<sup>2</sup> A3 café.

The site is within the settlement boundary of Taffs Well and has good accessibility by a range of sustainable transport modes including train, bus, foot and bicycle. In addition, it is considered that the proposal would be compatible with surrounding

uses given its close proximity to Taffs Well's retail centre. The site is therefore considered an acceptable, sustainable location, in accordance with Policy AW 2.

The retail centre of Taffs Well performs well in terms of vacancy rates, with just 1 vacant retail unit out of 21 noted upon the last survey in October 2018. National policy generally supports a diverse variety of uses in retail and commercial centres, and although the site is not within the defined retail centre boundary, the proposal would still benefit the vitality and viability of the retail centre as it is part of an area characterised by residential/commercial activity with a series of shops opposite.

Consequently, it is considered that the principle of change of use to an A3 café would be acceptable subject to the criteria considered below.

### **Impact on Highway Safety and Parking**

Whilst the objector's comments in regards to the impact upon parking are acknowledged no objections were raised following consultation with the Council's Highways Department. In their consideration of the scheme the Transportation Section commented that the submitted plans indicate that the proposed means of access to the property will remain unchanged, as such there is no undue cause for concern with regard to access.

Supporting information indicates that the existing dwelling has 2 no. bedrooms, which will remain unchanged post development. In accordance with the Council's SPG on Delivering Design and Placemaking: Access, Circulation & Parking Requirements, the property (pre/post development) has a maximum off-street parking requirement of 2 spaces.

Furthermore, there is a limited waiting parking bay located directly outside of the proposed development sufficient to accommodate 2 vehicles, restricted to 1 hour waiting and no return within 2 hours. As such future customers of the café/coffee shop would be able to park on the A4054 Cardiff road where not restricted. There is 2 no. spaces to the rear of the property with 1 no. space remaining for use by the dwelling and 1 as a service space for use by the proposed café/coffee shop. Therefore, on balance, no highway objections are raised.

Taking the above into consideration, on balance the proposal is considered acceptable in regards to its impact upon highway safety within the vicinity of the site.

### **Impact on the character and appearance of the area**

The proposal simply seeks renovation and improvement works to the existing property and does not propose any increase to the footprint of the building or any external works to the building or wider curtilage. Consequently it is not considered that the proposed change of use would result in any undue impact upon the character and appearance of the property or the wider surrounding area. The application is therefore considered acceptable in this regard.

## **Impact on residential amenity**

There is potential for the intended use to have some impact upon the residential amenity of surrounding neighbours in terms of potential noise and cooking odours associated with this type of use.

In relation to noise resulting from the proposed A3 use and its customers, the property is located within close proximity to the retail centre where uses of this type would usually be expected. In terms of the hours operation, it is proposed that the business would operate between 8.00am – 6.00pm. In terms of the Class A3 use proposed, it is not considered that these times are unreasonable; or would cause unnecessary disturbance to neighbouring occupiers.

It is also noted that the majority of neighbouring properties within the vicinity are commercial with residential properties mostly located to the rear of the site and would be largely screened from any potential impacts. As such, it is not considered that the introduction of a café in this location would be harmful to residential amenity. In addition consultation has been undertaken with the Council's Public Health and Protection Division who raised no objection to the proposal.

As such, taking the above into consideration, the proposal is considered acceptable in regards to its impact upon residential amenity.

## **Public Health & Protection**

Given the proposed use, the Council's Public Health and Protection Division have noted that there is a potential for issues to arise in respect of noise, smell and waste disturbances however, no details have been submitted with the application in this respect. It is advised however that these issues can be overcome through the installation of specialist extraction equipment and therefore no objections have been raised subject to conditions to be added to any consent to control odour and food waste.

The Council's Public Health and Protection Department have also recommended that a number of conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are noted, 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.

## **Other issues raised by objectors**

Other issues raised by the objectors were concerns that the proposed use would impact upon existing business within the village. Competition is not a material planning consideration and is not considered within this report.

## **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 principle of development is supported and the change of use is deemed to have an acceptable impact upon the character and appearance of the area, the amenities of nearby properties and highway safety within the vicinity of the site. The application is therefore considered to comply with the relevant policies of the Local Development Plan as highlighted above.

## **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

### **RECOMMENDATION: Grant**

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

- Dwrg no. 101
- Rear Parking Layout

and documents received by the Local Planning Authority on 26/02/19 and 05/07/19, 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. Notwithstanding the submitted plans, development shall not commence until details providing for the extension to the existing vehicular crossover to the rear of the property have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to beneficial use.

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

4. The parking area indicated on the submitted plan titled "7, Cardiff Road, Taff's Well Rear Parking Arrangement" shall remain for the purpose of the parking of vehicles only.

Reason: To ensure that vehicles are parked off the public highway, in the

interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to commencement of any development on site, a scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the beneficial operation of the business and shall remain in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of surrounding properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Prior to commencement of any development on site, details of a system to prevent waste cooking oil, fats and grease and solid waste from entering the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the beneficial operation of the business and shall remain in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the integrity of the foul drainage system in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. The hours of operation for the business hereby approved shall be restricted to between the following hours:
  - Monday to Sunday: 08:00 hours - 18:00 hours.

Reason: To define the scope of the permitted use and in the interest of the amenity of occupiers in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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