



**RHONDDA CYNON TAF**

**PLANNING & DEVELOPMENT COMMITTEE**

**16 JULY 2020**

**REPORT OF THE SERVICE DIRECTOR, PLANNING**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/0886/10 (MF)  
**APPLICANT:** Mr R Higgitt  
**DEVELOPMENT:** Change of use of first and second floors of property from former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis) and associated works.  
**LOCATION:** 1 FOTHERGILL STREET, TREForest,  
PONTYPRIDD, CF37 1SG  
**DATE REGISTERED:** 29/10/2019  
**ELECTORAL DIVISION:** Treforest

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**RECOMMENDATION:** Approve

**REASONS:** Whilst it is accepted the proposal will result in the loss of a commercial unit at the heart of the town's retail centre, the proposed residential use would be restricted to the upper floors of the building only with the ground floor remaining in retail use, a common feature of such buildings in town centre locations. Therefore it is not considered that losing a commercial unit at the upper floors of the property would result in negative impact upon the vitality of the surrounding retail centre, and would in fact make effective use of what has become an underutilised building, improving the vitality of the wider centre.

Further, the proposal would provide 22 no. university students that might otherwise be seeking off-campus accommodation in the town a place to live during term time. This could reduce pressure on the existing housing stock in the town being converted to HMOs which has caused a number of social issues locally, potentially allowing some traditional residential properties in use as HMOs in Treforest to be returned back to family use. As such it is considered that this proposal provides an opportunity to go some way to helping slow any further erosion of the historic residential character and social cohesion of Treforest.

Finally, it is considered the proposed conversion would be acceptable in terms of its visual impact and the potential impact upon the Listed Building; its

**potential impact upon the amenity and privacy standards currently enjoyed by surrounding residents; and its potential impact upon highway safety in the locality.**

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**It is therefore considered the proposed development is compliant with the relevant local and national planning policies.**

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

The application is reported to Committee as the proposal is not covered by determination powers delegated to the Service Director of Prosperity and Development.

### **APPLICATION DETAILS**

Full planning permission is sought for the conversion of the first and second floors of the property from a former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis).

The conversion would result in 22 no. self-contained studio flats, 11 no. at first floor level and 11 no. at second floor level. A small management office would also be located at second floor level and a secure bike store created at ground floor level beneath the access stairwell. Each unit would comprise a bedroom / living / kitchen area and separate en-suite bathroom, and would be occupied by 1 no. student.

The conversion would be facilitated mainly through internal alterations, however a number of external works are also proposed:

- Each of the existing windows at first floor level on both the properties front (eastern) and rear (western) facing elevations would be replaced with larger openings to better suit the residential nature of the proposed use. A further new window opening would also be installed on the properties front elevation at first floor level to serve one of the proposed units. All new windows would be of grey uPVC.
- 6 no. dormer roof extensions would be installed to both the front and rear elevations to serve the new units at second floor level. A single roof light would also be installed to the front to provide light to the main access stairwell. All new windows would be of grey uPVC.
- A modern grey standing seam extension would be sited above the existing terracotta entrance block to allow access to the second floor and provide space for the management office. Grey uPVC windows would be located throughout.
- The external elevations would be subject of general refurbishment works including new through colour render throughout the main body of the building; replacement of slate roof tiles where required; and tidying up of the terracotta entrance façade.

The existing access off Fothergill Street (front) would be utilised as the facilities main entrance. A secondary access would be sited to the rear off Bridge Street where a communal refuse/recycling bin store area would be located.

As the building encompasses the whole plot there is currently no off-street parking at the property and none is proposed. However, as noted above, a secure cycle store would be provided within the building at ground floor level.

The applicant has detailed that the units would be occupied solely by students attending the nearby University of South Wales (Treforest Campus) and that they would not be occupied as private rentals on the open housing market at any time. This is clarified by the description of the development, i.e. 'self-contained residential student flats' within the Sui Generis planning use class, rather than 'private residential units' that would fall within planning use class C3.

To ensure the facility is well maintained and occupants are respectful of the existing community, the applicant has submitted a management scheme with the application which is summarised below:

- 24 hour secure entry systems;
- 24 hour helpline for occupants to assist with any management or maintenance issues;
- Management programme of the cycle store and refuse/recycling areas;
- A programme of planning and reactive maintenance, supported by the 24 hour helpline, with high risk issues being dealt with as an emergency;
- Inspections of all student rooms at periodic intervals;
- Regular cleaning and landscaping of external areas;
- All necessary health and safety precautions;
- A condition of the tenancy that any occupiers cannot keep cars;
- Welcome pack and introductions.

The applicant has detailed that the existing halls of residence within the nearby University of South Wales (Treforest Campus) are only able to accommodate 1200 students and that they are at capacity (Members are advised however that no confirmation of this fact has been provided from the University in support of the application). Consequently, other than a small number of private off-campus halls of residence within the Treforest/Pontypridd area, the primary option for students unable to gain accommodation on-campus is through the use of former residential properties in the town that are now occupied as Houses of Multiple Occupation (HMO), which has caused well-documented local tensions. As such the applicant contends that the introduction of additional purpose built student accommodation at this property would go some way to alleviating both the capacity issues at the university and the overconcentration of HMOs in Treforest.

The property is Grade II Listed for both its internal and external architectural interest. As such this application is supported by a separate Listed Building Consent application (ref. 18/0880/12) which sets out the full details of the listing and the considerations of the scheme in respect of any potential impact upon the Listed Building.

The application is accompanied by the following supporting documents:

- Planning Statement;
- Design, Access and Heritage Statement;
- Heritage Impact Assessment;
- Bat Survey;
- Air Quality Assessment.

## **SITE APPRAISAL**

The application property is a large commercial unit located at the junction of Fothergill Street and Bridge Street, Treforest. It is sited within a corner plot and occupies the whole site. As such the building is triangular in shape, widening from south to north, and has no off-street parking provision. The property is three storeys in nature with the ground floor occupied by 4 no. retail units and a separate, self-contained access stairway to the upper floors. The access stairway is enclosed within a decorative, free classical style terracotta façade at the southern end of the building. The retail units occupy the remainder of the ground floor each having modern glazed shopsfronts on to Fothergill Street. Both the first and second floors were last lawfully occupied as a snooker hall, but at the time of the officer site visit were in use as a storage facility for an off-site antique dealership.

The property was originally built in 1913 as the Cecil Cinema and is now Grade II Listed for both its internal and external architectural interest as a pre-1914 cinema, an extremely rare survival in South Wales. It is also noted that the property is located within the Castle Square, Treforest Conservation Area. Full details of the Listing are set out in the associated Listed Building Consent application ref. 18/0880/12.

The site is located at the heart of the town's commercial centre and is therefore surrounded primarily by various commercial uses. It is noted however that a terraced row of residential dwellings is located directly to the rear (west).

## **PLANNING HISTORY**

No previous planning applications have been submitted at this unit other than the current, associated Listed Building Consent application also before Members, ref. 18/0880/12.

Members are advised however that the 4 no. retail units at ground floor level have each been subject to numerous planning applications in the past, none of which are considered relevant to this case.

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification, site notices and a press notice. 2 no. letters of objection have been received from members

of the public and 1 no. from the local Member, making the following comments (summarised):

- The number of units proposed would lead to overdevelopment of the property.
- The development would result in damage to the listed features of the building.
- The size of the rooms would result in poor quality living accommodation for future residents. Furthermore, there would be no outdoor amenity space for occupants.
- The surrounding streets are already congested with on-street parking. No off-street parking is proposed. Where will the occupants park? This development will exacerbate existing issues leading to parking in restricted areas.
- The bin storage area would be located directly adjacent to the highway. This would be unsafe for future occupants and highway users alike.
- There are plenty of existing empty properties in Treforest. As such there is no need for additional student accommodation within the village. If the new units cannot be occupied by students the landlord may be tempted to fill them with alcoholics, drug addicts and criminals to ensure viability of the development.
- Students have historically and are continuing to cause various problems in the town such as anti-social behaviour, litter, empty properties, to let signs, oversaturation of takeaways, etc. This development would exacerbate the existing situation.

## **CONSULTATION**

Transportation Section – No objection, subject to conditions.

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

Flood Risk Management – No objection. Standard advice offered.

Countryside, Landscape and Ecology – No objection, subject to condition.

Waste Services – No objection. Standard advice offered.

Natural Resources Wales – No objection. Standard advice offered.

Dwr Cymru Welsh Water – No objection, subject to standard conditions and informative notes.

Wales and West Utilities – No objection, subject to standard conditions and informative notes.

Western Power Distribution – No objection. Standard advice offered.

South Wales Police – No objection. Standard advice offered.

South Wales Fire and Rescue Service – No objection. Standard advice offered.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site is located within the settlement boundary for Treforest, the Castle Square, Treforest Conservation Area, and the Treforest Local and Neighbourhood Centre.

**Policy CS2** – sets out the criteria for development in the Southern Strategy Area.

**Policy AW1** – sets out the criteria for new housing proposals within the Country Borough.

**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 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 SSA13** – sets out the criteria for the consideration of housing development proposals within settlement boundaries in the Southern Strategy Area.

**Policy SSA16** – identifies the retail hierarchy for the Southern Strategy Area with Treforest being classed as a Local and Neighbourhood Centre.

### **Supplementary Planning Guidance**

- Design and Placemaking;
- The Historic Built Environment;
- Design in Town Centres;
- Nature Conservation;
- 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 5<sup>th</sup> December 2018. The document aims to incorporate the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the Welsh Government's policy on planning 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 that the site has been brought forward in a manner consistent with the Act's five ways of working. Furthermore, it is also considered that 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 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 conversion of the first and second floors of the property from a former snooker hall (Class D2) to 22 no. self-contained residential student flats (Sui Generis).

The application site is located within the defined settlement boundary of Treforest and also within the heart of the town's retail centre. It therefore has easy access to various public transport links and numerous facilities/amenities. It is also in close proximity of the nearby University of South Wales, Treforest Campus which it would serve, and the neighbouring town centre of Pontypridd. As such the site is located within a highly sustainable location as defined by Policy AW2 of the LPD. Policies CS1, AW1 and AW2 encourage residential development in such locations.

Whilst it is acknowledged the proposal will result in the loss of a commercial unit at the heart of the town's retail centre, the proposed residential use would be restricted to the upper floors of the building only with the ground floor remaining in retail use, a common feature of such buildings in town centre locations. Additionally, the last lawful use of the property, a snooker hall, ceased in 2016 with no interest to reopen or to change to an alternate leisure/retail use since. The upper floors have simply been used as an informal storage lock-up for an off-site business for the past few years which has provided no benefit to the wider retail centre / town. It is considered that these facts clearly illustrate that it is unlikely the unit will ever be occupied as snooker hall again in future, or for any retail use. Therefore it is not considered that losing a commercial unit at the upper floors of the property would result in negative impact upon the vitality of the surrounding retail centre. In fact, it is considered the conversion would actually improve the vitality of the centre by introducing up to 22 no. new consumers.

It is noted that following advertisement of the application concern has been raised by residents and the local Member regarding the introduction of additional student accommodation in the village. One point raised was that there are numerous empty properties in the area and therefore further student accommodation is not required. Whilst these comments are acknowledged, Members are advised that it is not the role of the planning system to assess market forces and how strong the demand is likely to be for the intended development. It is understood however that a number of similar



recent developments for private, purpose built student accommodation (Park Pride, Treforest and both Llwyncastan and Gelliwastad Road, Pontypridd) have been fully let since opening. Additionally, the use of traditional residential properties in the town as student accommodation has caused a number of social problems in the past and therefore the provision of purpose built student accommodation at this site could go some way to alleviating these issues (as set out in detail below). Nevertheless, market demand does not form a material planning consideration that would carry any weight in the determination of this application.

Further concerns were raised in respect of the units being occupied as traditional residential properties rather than by students given the self-contained nature of the accommodation proposed. It was commented that applying for student accommodation would enable the developer to 'get away' without complying with the stricter planning guidelines and room size specifications etc. that would have to be adhered to if this scheme proposed conversion to a Class C3 (market housing residential use) block of flats. With this in mind it is important to make clear the distinctions, in terms of the planning use classification, between purpose built student accommodation and traditional residential units. The two uses fall within different planning use classes. Purpose built student accommodation is classified as 'Sui Generis' and a residential unit falls within 'Class C3'. Therefore, whilst it is acknowledged that there may be some similarities between the two development types, they are clearly two separate uses in planning terms and further planning permission would be required to convert a unit from one use to another and any future application would be refused if the scheme was not acceptable. In this case the applicant has applied for 'self-contained residential student flats (Sui Generis)' as set out in the description and the application must therefore be considered on these grounds only. Thus, if Members are minded to approve the application, the units could only be occupied by students and any occupation for general, open market housing would be a breach of the planning permission where enforcement action could be taken.

A further point raised by the objectors was that the units would result in overdevelopment of the building and poor quality living accommodation for future residents. Whilst these concerns are noted and it is accepted that a considerable number of units are proposed and the self-contained units are relatively small in nature, essentially forming bedsit units, they are generally considered acceptable in respect of their scale, design, outlook and resulting living accommodation, being typical of student halls of residence accommodation and comparable to that recently approved at the other similar developments nearby. It is accepted that there would be no outdoor amenity space for the occupants, but again, this is typical of these types of facilities or many blocks of flats. It is also noted that adequate bin and cycle storage would be provided and access provided from the main street. As such the proposed development is considered to generally comply the Council's adopted Supplementary

Planning Guidance (SPG): Development of Flats and is therefore considered acceptable in this regard.

The objectors have also commented that the redevelopment of the building for intensive residential student use would likely contribute to the further erosion of the traditional residential character and social cohesion of Treforest and potential antisocial behaviour issues. However, the primary option for students unable to gain accommodation at the University's on-site halls of residence is currently through the use of former traditional residential dwellings that are now occupied as HMOs, which has caused well-documented local tensions. This proposed form of development offers a type of accommodation that would create a viable alternative to the conversion of traditional family dwellings to HMO's, in the same way that on-campus halls of residence already do. Moreover, the proposed development is for a purpose built, self-contained student accommodation unit in close proximity of the University, it would not form a HMO itself. Therefore, on the basis that the proposal would provide 22 no. students that might otherwise be seeking off-campus accommodation within a HMO with purpose built student accommodation in the town, it is considered this development could reduce pressure on the existing housing stock to be converted to HMO's for students, and could potentially allow some HMOs in the area to be returned back to family use. As such it is considered that this development provides an opportunity to go some way to alleviating the number of terraced properties in Treforest that are converted to HMOs, thus helping to slow any further erosion of the historic residential character and social cohesion of the town.

Finally, it is acknowledged that under the provisions of Policy SSA12 a 20% affordable housing contribution should be sought on schemes which propose 5 no. or more units of residential accommodation in the Southern Strategy Area. However, the adopted SPG: Planning Obligations identifies that a number of exemptions apply for certain types of residential development, with one such exemption being the provision of student accommodation. Therefore no affordable housing contribution is applicable in this case.

It is therefore considered that the conversion of the property to student accommodation is considered acceptable, in principle, subject to the proposal being compliant with the other relevant material considerations set out below.

### **Visual Impact**

The application property is a substantial building that occupies a prominent siting along the main highway through the town and at the centre of the Castle Square Conservation Area. Therefore any development at site would inevitably result in a noticeable alteration to the building and its immediate surroundings.

Notwithstanding the above, the building has been the subject of many modern alterations in the past, particularly at ground floor level where several commercial

premises are located, but also at first floor level through use as a snooker hall. Subsequently, other than the terracotta entrance façade, the current external appearance of the property bears very little resemblance to its original use as a cinema with much of the external detailing removed or damaged. Furthermore, since the closing of the snooker hall the building has fallen in to disrepair and appears in need of substantial refurbishment throughout, detracting from the character and appearance of the wider Conservation Area.

Subsequently, whilst a considerable number of dormer window additions are proposed and the scheme would see the existing window openings enlarged, it is not considered the works would result in a detrimental impact to the character and appearance of the building, but along with the wider general repair works proposed, would actually improve its current visual appearance. It is also noted that the majority of external alterations proposed would be to the part of the building that has less architectural and historic importance than the terracotta entrance façade, which would simply see some general repair works and a small, modern, glazed unit sited above. That accepted however, the use of uPVC is considered to be too strident for the Listed Building. As such, should Members be minded to approve the application, it is recommended that a condition be imposed on any consent to substitute this material for painted timber or powder coated aluminium double glazed units which would better relate with the historic nature of the building.

With respect to the manager's office which would be formed through a new, contemporary structure at roof level immediately above the main feature of the property, the terracotta façade, it is considered that this would represent a minor and wholly modern addition that would be of a modest scale and design that would sit comfortably with the historic elements of the building, adding to the attractive nature of this element of the structure.

Finally, this building, like many other historic properties within the County Borough, suffers from its inability to adapt to alternative uses, particularly commercial uses, given its location, dimensions and historic restrictions. The building has seen a lack of investment, maintenance and interest required to secure a viable future which has resulted its condition decline over a sustained period. Consequently, whilst it is accepted the proposal would inevitably result in highly visible alterations to the building's current character and appearance, the proposal is considered to be an appropriate scheme for the future longevity of the building in the medium to long term that would also improve its current character and appearance. The proposed development is therefore considered acceptable in respect of its potential visual impact.

### **Residential Amenity**

The upper floors of the building were last in lawful use as snooker hall and have more recently been in use as an informal storage lock-up. As such it is considered that a

degree of noise and disturbance would have likely occurred to surrounding residents, often late in to the evenings. Furthermore, the building is located on the main thoroughfare through the town and at the heart of its retail centre. As such surrounding residents would be accustomed to the degree of noise and disturbance that comes with living in such a town centre location. Subsequently it is not considered that the introduction of a residential use at the site, albeit intensive in character, would result in any further impact in these respects or be any more intrusive to surrounding residents in comparison to that which would have previously occurred.

It is noted that the objectors commented that students have historically caused various anti-social behaviour and crime issues in the village and that the introduction of further student accommodation would exacerbate existing problems. Whilst these comments are acknowledged, any present issues caused by the behaviour of existing residents has no bearing upon the behaviour of potential future occupiers. The applicant has also detailed that there would be 24 hour security systems in place, a 24 hour help line for occupants, and a management plan which should ensure there are no such issues from the facility. However should such issues arise, any enforcement would be outside of the planning system and would form a public health / police matter.

Therefore it is not considered the introduction of purpose built student accommodation at the site would result in an unacceptable impact upon the amenities of the surrounding residents in these terms.

With respect to the proposed building itself and the potential impact the alterations to it may have upon the existing neighbouring properties, all of the window openings that would serve the units at first floor level are already in place, except one new additional window that is required to the front elevation. As such, whilst it is accepted the openings would be enlarged, it is not considered the residential units at first level would result in any further overlooking to the neighbouring properties than that which already occurs. It is acknowledged that the new dormer windows in the roof space would introduce an overlooking impact that does not currently exist, however there are no neighbouring properties to the front (east) of the building and as such no impact would occur here; and with the application property of a much greater scale and height than the residential properties to the rear (west), it is considered that the new dormer windows to the rear would look over the top of the neighbouring properties rather than directly overlook them. As such, on balance, it is not considered any potential impact in this respect would be significant enough to warrant refusal of the application.

Finally, the proposed residential units would be located above 4 no. commercial units, would be sited along the main highway through the town, and in close proximity of the nearby Pontypridd to Cardiff railway line. Consequently future occupiers may experience a degree of noise and disturbance themselves. No information has been submitted with the application in respect of proposed soundproofing measures to protect the amenities of future residents, however the Public Health and Protection Section commented that an appropriate scheme could be introduced during conversion works. As such no objections are raised in this respect but it is suggested

a condition be attached to any consent requiring a soundproofing scheme be submitted to and approved by the Local Planning Authority prior to any works starting on site.

Subsequently, 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, on balance, it is not considered any impact would be so detrimental as to warrant refusal of the application. The application is therefore considered acceptable in this regard.

### **Highway Safety**

The Council's Transportation Section raised no objections to the scheme following consultation, subject to a number of relevant conditions being added to any consent.

In their assessment of the scheme the Transportation Section commented that the primary means of access off the footway along Fothergill Street and the secondary access and bin store area along Bridge Road are both considered acceptable. Additionally, no objections to the proposed bin store area have been received from the Council's Waste Services Section. The Transportation Section did note that there is some concern regarding the likely increase in the number of deliveries to the property, however when considering that there is a loading bay present nearby along Fothergill Street, the concern was not considered significant enough to warrant a highway objection.

With respect to parking, it was commented that the existing use as a snooker club, in accordance with the Council's adopted SPG: Access, Circulation and Parking, has a requirement of 1 no. off-street parking space per 8m<sup>2</sup> plus 1 no. commercial vehicle space. The former snooker club had a gross floor area of 302m<sup>2</sup>, resulting in an off-street parking requirement of 39 no. spaces, with none provided. The proposed conversion to 22 no. 1 bedroom student flats has an off-street parking requirement of 1 no. space per 25 beds for servicing and 1 no. space per 10 beds for student and visitor parking. The proposed use would therefore require 3 no. spaces with none provided. However, in accordance with the adopted SPG: Development of Flats, consideration must be given to the fact that residents of flats generally have lower levels of car ownership than other types of households. Furthermore, the building is situated in a highly sustainable location at the heart of the town's retail centre, in close proximity to a range of local transport services, the university which it will serve, and various shops, amenities and facilities. There are also public car parks nearby and traffic management and resident permit restrictions in the vicinity of the site; and the developer has proposed adequate secure cycle storage within the building. Subsequently, taking the above into consideration, it is not considered the proposed use would result in any further on-street parking issues in the locality than that which would have resulted as a consequence of the previous use. The lack of off-street parking provision is therefore considered acceptable in this instance; and no restrictions on future occupiers owning/using vehicles are considered necessary.

The Transportation Section has however suggested a condition be attached to any consent requiring the applicant upgrade the existing bus stop along Park Street at the nearby Treforest Train Station as part of this development. However the bus stop is located approximately 250m from and outside of the application site, and therefore whilst it may need upgrading and future occupants of this development may use it, it is not considered its upgrading would have any relevance to the development proposed. It is therefore considered that it would be unreasonable for the Council to request the developer pay for these works and the condition is not detailed below.

In conclusion, in light of the above highway assessment, whilst the concerns raised by the objectors in this respect are acknowledged, the proposed facility would have a satisfactory means of access; and whilst no off-street parking is proposed and none can be provided, the site is located in a highly sustainable location with good access to various public transport links. The application is therefore considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site.

## **Public Health**

No objections have been received from the Council's Public Health and Protection Section. They did however note that the application site is located within an Air Quality Management Area (AQMA) and as such there is the potential for future occupiers of the proposed residential units to be adversely affected by poor air quality. In light of this fact an Air Quality Assessment (AQA) has been carried out at the site and an associated report submitted for consideration.

Following assessment of the AQA the Public Health and Protection Section commented that the site falls within a current AQMA declared in respect of exceedances of the annual mean Nitrogen Dioxide (NO<sub>2</sub>) objective. The air quality (NO<sub>2</sub>) is likely to exceed the annual mean objective along the façade facing Fothergill Street and as such, mitigation would be required to reduce exposure to future residents. Mitigation measures to control the impact from dust/particulates has been presented in the form of a Dust Management Plan, and mitigation measures to control the impact of current air quality (NO<sub>2</sub>) is suggested in the form of mechanical ventilation benefiting from air intakes located at roof height. The Public Health and Protection Section agree with the findings of the AQA and consider the proposed mitigation measures appropriate. As such no objection is raised but a condition is recommend to ensure the mitigation is installed prior to beneficial occupation of any unit and remains in place in future.

The Public Health and Protection Section also suggested a number of conditions be attached to any consent in relation 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**

As the proposed conversion would result in a number of works to the building's roof space an ecology report has been submitted with the application to assess any potential impact upon protected species. Following consideration of the report both the Council's Ecologist and Natural Resources Wales commented that the report is an appropriate assessment and has identified no evidence of bats using the building. Therefore no objections are raised, but the precautionary measures set out in the report in respect of clearance works and nesting birds should be the subject of conditions to ensure there is no impact.

## **Land Drainage and Flood Risk**

As the proposed conversion would not alter the current drainage arrangements at the site no objections have been raised or conditions suggested by the Council's Flood Risk Management Section. It is also noted that no objections were received from Dwr Cymru Welsh Water, subject to standard conditions and advice.

## **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.

## **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 purpose built student accommodation is classified as a Sui Generis use and the CIL rate for this type of development as set out in the Charging Schedule is £nil. Therefore no CIL would be payable.

## **Conclusion**

Whilst it is accepted the proposal will result in the loss of a commercial unit at the heart of the town's retail centre, the proposed residential use would be restricted to the upper floors of the building only with the ground floor remaining in retail use, a common feature of such buildings in town centre locations. Therefore it is not considered that losing a commercial unit at the upper floors of the property would result in negative impact upon the vitality of the surrounding retail centre, and would in fact make effective use of what has become an underutilised building, improving the vitality of the wider centre.

Further, the proposal would provide 22 no. university students that might otherwise be seeking off-campus accommodation in the town a place to live during term time. This

could reduce pressure on the existing housing stock in the town being converted to HMOs which has caused a number of social issues locally, potentially allowing some traditional residential properties in use as HMOs in Treforest to be returned back to family use. As such it is considered that this proposal provides an opportunity to go some way to helping slow any further erosion of the historic residential character and social cohesion of Treforest.

Finally, it is considered the proposed conversion would be acceptable in terms of its visual impact and the potential impact upon the Listed Building; its potential impact upon the amenity and privacy standards currently enjoyed by surrounding residents; and its potential impact upon highway safety in the locality.

The proposed development is therefore considered to comply with the relevant local and national planning policies and is considered acceptable, subject to the conditions detailed below.

**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 ref:

- 3158 P001 – Site Location
- 3158 P004 – Ground and 1<sup>st</sup> Floor Plans - Proposed
- 3158 P005 – 2<sup>nd</sup> Floor and Roof Plans – Proposed
- 3158 P007 – Elevations and Section – Proposed

and documents received by the Local Planning Authority on 03/08/18, 04/10/18 and 22/10/18, 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, including any internal works, until full details (including siting and future monitoring) of the proposed swift enhancement measures detailed in sections 4.5 to 4.7 of the submitted Bat Survey (Crossman Associates 25 June 2018) have been submitted to and



approved in writing by the Local Planning Authority. The swift enhancement measures shall be carried out in accordance with the approved details prior to beneficial occupation of any unit and shall remain in place thereafter.

Reason: In the interests of ecology and to afford protection to animal species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence on site, including any internal works, until full details (including a tool box talk) of the proposed precautionary bat measures detailed in section 4.4 of the submitted Bat Survey (Crossman Associates 25 June 2018) have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details and any protection measures shall be retained throughout the development period and thereafter.

Reason: In the interests of ecology and to afford protection to animal species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence on site, including any internal works, until a detailed Dust Management Plan, incorporating those mitigation measures thought appropriate and as identified within Appendix C – Construction Mitigation Measures of the submitted Air Quality Assessment (Entran Environment and Transportation 19 June 2018) has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details and any protection measures shall be retained throughout the development period and any mitigation measures shall remain in place thereafter.

Reason: In the interests of amenity in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. No development works shall commence on site, including any internal works, until full details of a proposed sound proofing mitigation scheme for the residential units has 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, the mitigation measures shall be installed prior to beneficial occupation of any unit and shall remain in place thereafter.

Reason: In the interests of amenity in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Notwithstanding the approved details, no development shall commence on site, including any internal works, until sample materials of the replacement windows and proposed dormers have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan

8. Notwithstanding the approved details, no development shall commence on site, including any internal works, until the design and details of the following have been submitted to and approved in writing by the Local Planning Authority:

- window repairs and replacements;
- rainwater goods;
- soffits and fascias;
- stone and bricks.

The works shall be carried out in accordance with the approved details thereafter.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

9. All disturbed fabric shall be made good to match the existing building.

Reason: To ensure that the appearance of the proposed works will be in-keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

10. The secure cycle storage unit, as indicated on submitted drawing no. 3158 P004, shall be implemented on site prior to beneficial occupation of any unit and shall remain in place in perpetuity.

Reason: To encourage a sustainable mode of transport and in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan

11. All HGV deliveries during the construction period shall only take place between the hours of 09:30am and 15:30pm on weekdays to and from the site.

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