

PLANNING & DEVELOPMENT COMMITTEE

15 OCTOBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0120/10 (KL)
APPLICANT: Mr S John
DEVELOPMENT: Change of use of building from Council Offices to 20 no. self contained residential student flats (Sui Generis), including demolition of part of existing building, construction of new block and associated works (Bat Survey & Nesting Bird Survey rec. 15/07/2020) (Noise Report rec. 05/08/2020)(Amended Plan rec. 02/09/2020)
LOCATION: THE OLD COURTHOUSE, COURT HOUSE STREET, GRAIG, PONTYPRIDD, CF37 1LJ
DATE REGISTERED: 02/09/2020
ELECTORAL DIVISION: Graig

RECOMMENDATION: Approve

REASONS: The application site is located within the defined settlement boundary and within a highly sustainable location where the principle of purpose-built student accommodation is considered to be acceptable.

The works would involve some demolition works however, the main parts of the building would be retained, including the principal elevation and other features considered to be of architectural merit. It is therefore not considered that the development would have an adverse impact upon the character and appearance of the site or that of the conservation and character areas in which the site is situated.

The alterations to the building would have no impact upon the amenity and privacy of adjacent properties and whilst it is noted that a number of objections have been received from local residents in relation to the potential for noise and disturbance, the site is located in a mixed use area and it is not considered that the proposal would have an adverse impact upon the amenity and privacy of existing neighbouring properties.

Furthermore, the proposal includes ample off-street parking provision to the front of the site which would ensure that the proposed development would not have an adverse impact upon highway safety in the vicinity of the site.

As such, the proposal is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development

APPLICATION DETAILS

Full planning permission is sought for the conversion of the Old Courthouse in Court House Street, Pontypridd to 20 no. self-contained residential student flats (Sui Generis).

The proposal would include partial demolition of the original building (central section) however, the majority of the structure, including the principal elevation, would be retained. The main entrance to the building would be via an existing entrance door on the right-hand side of the principal elevation. This would open into an internal lobby and an internal secure bike store which would then open onto an external courtyard within the centre of the site.

The proposed accommodation would be arranged in three blocks:

- Block A would form the front of the building facing onto Court House Street. It would consist of 10 units arranged over three floors (4 units at ground floor, 4 units at first floor and 2 units at second floor) with access being via the central courtyard, off the main entrance. The principal elevation of the building in this location would remain unchanged however, new openings would be provided within each of the 4 existing leaded windows. Due to the partial demolition of the central part of the building, the newly exposed rear elevation of this section would be finished with smooth render. A total of 5 single dormers (3 first floor and 2 second floor) and 4 roof lights (all on second floor) would also be inserted into the rear roof space to create openings for the units on the first and second floors;
- Block B would form the north-western section of the existing building. It would consist of 4 units, all at ground floor level. Two of the units would be accessed via a secondary entrance off the existing projection off the principal elevation whilst the remaining two units would be accessed via the central courtyard, off the main entrance. The existing lobby area at the side of the existing projection would be demolished along with a small central section which would provide a further external courtyard (accessed via the secondary entrance point). A further external courtyard would be created between the 4 units.
- Block C would form the rear of the building. It would consist of 6 units that would be arranged over two floors (4 at ground floor, 2 at first floor). These units would all be accessed off the central courtyard, off the main entrance. Two new windows would be inserted into the newly exposed external wall, which would be finished with smooth render. A further external courtyard would be provided

to the north-western side of this block, which would be accessed via the communal laundry room between Blocks B & C.

The proposal would also include the provision of 7 off-street car parking spaces to the front of the building which would be directly accessed off Court House Street. A secure but external bin storage area would be provided to the side of the main entrance (gates to the front of the building and to the central courtyard).

The application is accompanied by the following:

- Design and Access Statement;
- Heritage and Design Appraisal;
- Noise Impact Assessment (Dated August 2020);
- Bat Survey (Dated July 2020);
- Nesting Bird Survey (Dated July 2020).

SITE APPRAISAL

The application site relates to a broadly rectangular shaped parcel of land that is located on the north-eastern side of Court House Street, Pontypridd. It measures approximately 1154m² and appears to be relatively flat in profile.

The site is currently occupied by a large detached building that occupies the most central part of the plot. A linear row of off-street car parking spaces are provided to the front of the building whilst an area of established trees appear to occupy the rear of the plot. It is understood that the building was last in use as Council offices.

The surrounding area is characterised by a mix of uses with some residential and commercial uses located in the immediate vicinity. The site is bound by the former registry office (currently or most recently used as offices) to the north-west and the Masonic Hall to the south-east. The grounds of Dewi Sant Hospital are located immediately opposite the site to the south-west whilst Pontypridd Train Station is located approximately 11 metres to the north-east.

It should be noted that the former registry office to the north-west is a Grade II Listed Building. The application property however, whilst holding some architectural merit, is not Listed. The site is located within the Pontypridd Conservation Area and the Pontypridd Character Area.

PLANNING HISTORY

None recorded within the last 10 years at this property.

PUBLICITY

The application has been advertised by means of direct neighbour notification, the display of site notices in the vicinity of the site and through advertisement in the local newspaper. An advert was also placed in a local newspaper.

Two letters of objection have been received from local residents which are summarised as follows:

- Parking is terrible in the area and the proposal will make it much worse for residents;
- Some students can be noisy and will cause disturbance which will bring the area down and make local families suffer the consequences;
- The Graig already has big issues with drugs, rubbish, parking, disturbances, murders and anti-social behaviour;
- We are neglected as a community already and more flats would put even more strain on our failing scruffy community;
- We have the Dewi Sant Health Park issues with parking – residents cannot park outside their own home.

Further letters of objection have been received from Cllr. Brencher, the Ward Member for the Graig. These letters are summarised as follows:

- With the development of Dewi Sant Hospital as a Health Park and proximity to the town centre, residents are unable to park near their homes;
- Highways have been involved in these issues and are looking to alleviate existing parking problems of extreme concern;
- The site is adjacent to the Coroner's office and the Masonic Hall where meetings are held. In addition, the train station is located in close proximity as well as the town centre. People park here to access of these;
- The extra care development in the area will also add pressure;
- Students will have cars and visitor who will also have cars;
- The Dewi Sant Health Park has insufficient parking for patients and staff who also park in nearby streets as a result;
- Sardis Road car park closes at 7pm which means visitors to the Masonic Lodge in the evenings park on the pavements;
- Nearby social housing developments and the extra care facility already have insufficient parking.

CONSULTATION

Countryside, Landscape & Ecology – No objection, subject to condition

Dwr Cymru/Welsh Water – No objection, however it is noted that the site is crossed by a public sewer and it is advised that no works shall take place within 3 metres of the centre line of the sewer. A condition and advisory notes are also recommended.

Flood Risk Management – The proposal includes a reduction in roof area and as such, no objection or condition is recommended. However it is noted that the

development would be over 100sqm and a separate application of Sustainable Drainage Approval will need to be submitted to the Sustainable Drainage Approval Body prior to the commencement of works (advisory note).

Highways and Transportation – No objection, subject to conditions relating to the use of the parking spaces and cycle store proposed for the parking of vehicles and cycle storage only.

Natural Resources Wales – Concerns and objections raised unless particular plans and documents identifying bat mitigation measures are included in a condition identifying approved plans and documents.

Public Health and Protection – No objection, subject to standard conditions relating to hours of operation, noise, dust and waste. These issues are more appropriately dealt with by separate environmental health legislation and it is therefore not considered that the recommended conditions are necessary. An advisory note can be added to draw the applicant's attention to these issues.

A noise assessment was also requested during the course of the application, which was subsequently submitted for consideration. The Public Health and Protection team therefore recommend that all of the works which form part of assessment are completed before any part of the development is occupied.

South Wales Police – No objection, makes a number of recommendations in relation to safety (advisory note).

Western Power – A separate application will need to be made to WPD if a new connection or service alteration is required.

No other responses had been received at the time of writing this report.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located inside the defined settlement boundary and is not allocated for any specific purpose. It is situated within the Pontypridd Town Conservation Area and the Pontypridd Character area. The following policies are considered to be relevant to the application:

Core Policies

Policy CS2 – sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Area Wide Policies

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 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 – states that developments which impact upon sites of architectural and/or historical merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 – seeks to protect RCTs distinctive natural heritage. Proposals that would affect protected and priority species will be required to demonstrate what measures are proposed for the protection and management of the species and the mitigation and compensation of potential impacts.

Policy AW10 – development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Southern Strategy Area Policies

Policy SSA1 – supports proposals that reinforce the role of Pontypridd as a Principal Town.

Supplementary Planning Guidance

Design and Placemaking

The Historic Built Environment

Nature Conservation

Development of Flats

Access Circulation and Parking

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.

Planning Policy Wales Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through

its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

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
Manual for Streets

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 located within the defined settlement boundary and within close proximity to the defined retail centre of Pontypridd, a Principal Town in the Southern Strategy Area. The site is therefore located within walking distance of a range of key local services and facilities and is highly accessible by a range of sustainable transport options with both bus and train stations located nearby. It is also noted that the site is conducive to travel on foot and bicycle. The site is therefore considered to be situated in a highly sustainable location where student accommodation, such as that proposed in this application, should be encouraged (Policy AW2).

It is noted that the University of South Wales is located in the nearby village of Treforest, which is easily accessible by train and with the train station being located immediately to the rear of the site, it is likely that future student occupiers would utilise this transport option. Furthermore, it is considered that locating such student accommodation in the town centre of Pontypridd would reinforce the role of Pontypridd as a Principal Town and would encourage the use of the services and facilities on offer in the area (Policy SSA1).

The proposal would encourage the re-use of the application building (Policy CS2), which is currently vacant, and given that the proposal would not result in any significant alterations to the principle elevation of the building, which has some architectural merit,

it is considered that the proposal would preserve the character and appearance of the site (Policy AW7)

Taking the above into consideration, the proposal would comply with policies CS2, AW2, AW7 and SSA1 of the Rhondda Cynon Taf Local Development Plan and the principle of the proposed development is considered to be acceptable, subject to consideration of the criteria set out below.

Impact on character and appearance

The application site is located within the Pontypridd Conservation Area and within the Pontypridd Character Area. The existing building is not listed however, it is considered to have some architectural merit. Furthermore, it sits between two buildings which are also visually attractive and are also considered to be of architectural merit (one of which is listed) and it is therefore important to ensure that the proposed works are of a high standard to ensure that there would be no adverse impact upon the Conservation and Character Areas.

The Council's SPG: Development of Flats states that where buildings are of an attractive character, care should be taken to retain existing façade details and patterns of fenestration, or to make changes in a sympathetic manner which respect the appearance of the building. Whilst the proposal would involve the partial demolition of the building, these works would largely be carried out at the centre of the building where they would not be visible from the street. Only minor alterations would be made to the principal elevation with the majority of original features, which are considered to be visually attractive and to have some architectural merit, being retained. Furthermore, the materials proposed in the new sections of the building would complement the original building and it is therefore not considered that the proposed alterations would appear overly prominent within the street scene.

Consequently, the proposal is considered to be acceptable in terms of the impact it would have upon the character and appearance of the site and indeed the wider conservation and character areas and the application would therefore comply with Policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

The alterations to the application property would predominantly be carried out within the centre of the site and it is not considered that the amenity of either adjacent property would be adversely affected by the proposed works. The nearest residential properties are located approximately 45 metres to the north-west (5 & 5a Court House Street) and south east (Taff Vale Flats) and would also not be adversely affected by the physical alterations of the building.

Whilst it is noted that some windows overlook adjacent properties, these are existing windows and would therefore not lead to any additional overlooking. Furthermore, all

new window openings created would overlook the internal courtyards and would not result in any additional overlooking towards existing neighbouring properties.

A number of objections have been received from local residents that raise concern with regard to the proposed use of the building for student accommodation and the potential for this use to cause noise and disturbance. Whilst this issue is noted, the surrounding area is characterised by a mixture of different uses, some of which are already associated with some degree of noise and disturbance, which local residents will already be accustomed to. It is also noted that the previous use of the building as offices would have resulted in some degree of noise and disturbance. It is therefore not considered that the proposed use, which is primarily a residential one, would give rise to significant levels of noise and disturbance.

In terms of the amenity and privacy of future occupiers of the proposed development, the Council's SPG: Development of Flats states that new flats should provide an acceptable quality of accommodation for residents. Flats should be of a suitable size and habitable rooms should have a reasonable outlook and level of natural daylighting and ventilation. They should also have a main entrance door to the front of the building and have access to either private or communal outdoor space.

It is considered that the level of accommodation proposed is reasonable with adequate space provided within each unit for the occupiers to carry out day to day tasks. The majority of units created would have several window openings which would ensure that a reasonable level of daylight and ventilation could be achieved, however, there is some concern with regards to the outlook of unit A8 which would effectively face the blank elevation of the Masonic Hall at close range. Whilst this would inevitably have some impact upon the amenity and indeed the health and well-being of any future occupiers of this unit, the overall scheme is considered to provide good quality living accommodation, with access to a shared outdoor space (external courtyards) and, on balance, it is not considered that this concern would be sufficient enough to warrant the refusal of the application on its own.

There is also some concern with the relationship between the windows proposed in units B1, B2 and B3. The windows would look out onto a small courtyard with the only windows for units B1 & B2 looking towards the only windows for unit B3. With a distance of as little as 3.5 metres between units B2 & B3, the level of mutual overlooking between the windows would be unacceptable. However, it is noted the window in unit B3, which would directly face the window in B2, is effectively a secondary window which would serve the kitchen area and could therefore contain obscure glazing to reduce the potential impact upon unit B2. The distance between units B1 and B3 is a little greater at almost 6 metres, which is still of concern however, the plans indicate some degree of landscaping which, to some extent, would act as a screen and reduce the level of direct overlooking. It is considered that these issues could both be controlled via condition and it would not be sufficient to warrant the refusal of the application.

Consequently, it is not considered that the proposal would have an adverse impact upon the amenity and privacy of existing neighbouring properties, and given that the overall scheme provides accommodation of a good quality with good access to outside space within the site, it is not considered that the proposal would have a detrimental impact upon the health and well-being of future occupiers. The application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance: Development of Flats.

Access and highway safety

As detailed above, a number of objections have been received from local residents and the Local Member who raise concern with parking issues in the area. It is noted that the site is in close proximity to the town centre and these concerns are acknowledged and appreciated. However, the proposal has been assessed by the Council's Highways and Transportation Section with a view to determining the potential impact of the proposal on highway safety in the vicinity of the site and no objection has been raised in relation to the proposal. The comments are summarised as follows:

Parking

The proposal for purpose-built student accommodation has an off-street parking requirement of 1 space per 25 beds for servicing, wardens and drop-off areas, plus 1 space per 10 beds for students and visitors. This generates a total requirement of 3 spaces. The proposed plans indicate that 7 off-street parking spaces would be provided to the front of the building, which is considered to be acceptable.

Cycle Parking

The proposal has a requirement of 1 stand per 2 bedrooms which generates a total requirement of 10 stands. The proposed site plan indicates that 15 no. cycle stands are to be provided and the proposal is therefore considered to be acceptable in this regard.

Consequently, the proposal is considered to be acceptable in terms of the impact it would have on highway safety in the vicinity of the site and the application would therefore comply with Policy AW5.2 of the Rhondda Cynon Taf Local Development Plan.

Access

The proposed flats would be accessed off Court House Street, which is considered to be acceptable.

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.

Ecology

The application is accompanied by a Bat Survey which identifies that the building is being used as a day roost by Soprano Pipistrelles and Brown Long Eared bats. An European Protected Species Licence will therefore be required and should be added as an advisory note, should permission be granted.

The plans have been amended to include some mitigation which includes the provision of bat access slates and hessian reinforced bitumen felt to the roof above block C and above units C5 and C6 and the use of bulk head wall lights that would be PIR operated. These details have been assessed by the Council's Ecologist and NRW who recommend that these details are secured by condition. Further to this, the Council's Ecologist notes that much of the existing roof/loft space of the building will be retained and it is considered that at least one bat loft could be provided to encourage a greater use of the buildings by bats. In particular, there is potential capacity to enhance the building for brown long eared bats and a further condition is recommended to secure these details.

The survey also considered the potential for nesting birds however, it confirmed that no nesting birds were present within the building. The report identifies enhancement measures for swifts and the plans include provision of 4 swift nest boxes, which is acceptable. However, given the importance of the Pontypridd area for swift and the potential strategic location of the application property, it is considered that further provision could be provided and a condition is recommended accordingly.

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 liable for a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

Conclusion

Overall, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan in respect of the principle of the proposed development, the impact it would have on the amenity and privacy of surrounding properties, the impact it would have on highway safety in the vicinity of the site and the impact it would have on the character and appearance of the surrounding area and the Pontypridd Town Conservation and Character Areas. The application is therefore recommended for approval, subject to 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 and documents received by the Local Planning Authority, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Site Location Plan (rec. 5th February 2020);
- Drawing No. 09 revision D: Proposed Plans and Section (Rec. 02/09/2020);
- Bat Survey Report, prepared by Ecological Services Ltd. Version 1 (rec. 15/07/2020);

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. The parking spaces indicated on submitted drawing no. 09 Rec D shall remain for the purpose of the parking of vehicles only.

Reason: To ensure vehicles are parked off the public highway, in the interests of highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. The cycle store indicated on submitted drawing no. 09 Rev. D shall remain for the purpose of cycle storage only.

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

5. The window hereby permitted within unit B3 that would serve the kitchen area shall be glazed with obscure glazing to a minimum of Level 3 obscurity. The window shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenity and privacy of the neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a comprehensive scheme of landscaping. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or 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 die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. Building operations shall not be commenced until full details of the finishing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. The proposed dwelling shall be finished in accordance with the approved details.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area, in the interests of visual amenity and in accordance with Policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

8. The works identified in the submitted Environmental Noise and Vibration Assessment (undertaken by Hunter Acoustics and dated 5th August 2020) shall be completed prior to the beneficial occupation of the development, hereby permitted.

Reason: To ensure that the development would not result in a risk of unacceptable harm to health or amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 9 of the submitted Bat Survey (undertaken by Ecological Services Ltd, dated July 2020) and as shown in drawing no. 09 Rev D.

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

10. Notwithstanding the submitted details, prior to the commencement of works, a scheme for further biodiversity enhancement, in the form of a bat loft and additional swift boxes, shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented, retained and

maintained for the design purpose in accordance with the approved scheme. The scheme shall include, but not be limited to, the following details:

- a. Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- b. Materials and construction to ensure long lifespan of the feature/measure;
- c. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken;
- d. When the features or measures will be installed and made available.

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of Planning Policy Wales ed. 10.