



## **PLANNING & DEVELOPMENT COMMITTEE**

**19 NOVEMBER 2020**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 19/1314/10 (BJW)  
**APPLICANT:** Mr S Robinson  
**DEVELOPMENT:** General refurbishment and external alterations including two new external terrace areas (Ecology report received 09/10/2020).  
**LOCATION:** MALTSTERS ARMS PUBLIC HOUSE, BRIDGE STREET, PONTYPRIDD, CF37 4PF  
**DATE REGISTERED:** 09/10/2020  
**ELECTORAL DIVISION:** Trallwn

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**RECOMMENDATION:** Approve, subject to conditions.

#### **REASONS:**

The application proposes the internal and external refurbishment of the Malsters Arms Public House as well as the creation of new openings in the front/side, side and rear elevations, the creation of two external terrace areas, a repositioned smoking shelter and an external fire escape staircase.

It is considered that the works would improve the facilities of the existing premises and revitalise this dated property. The works are considered to be visually acceptable and would have a positive effect on the special character and appearance of the Conservation Area within which the building is an important and prominent part; and would have no undue impact upon highway safety considerations.

Consequently, it is considered that the proposal would be justified and acceptable in this instance and a recommendation to approve the application is offered.

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**REASON THE APPLICATION IS BEING REPORTED TO COMMITTEE**

The application is for a type of development where determination powers are not delegated to officers (the extension of and/or works to a licensed public house).

## **APPLICATION DETAILS**

Planning permission is sought for the refurbishment, external alterations and extensions to the Malsters Arms Public House, Bridge Street, Pontypridd, a prominent roadside, commercial-scale property located alongside the River Taff, within the Pontypridd (Taff) Conservation Area.

Specifically, the proposal consists of the following:

### Basement level

- New covered riverside terrace;
- Internal split of the cellar to allow the basement and the ground floor bar areas to be operated separately;
- Internal refurbishment of the cellar bar and provision of a new food and drink servery; and
- The enlargement of an existing opening from the cellar bar area onto the new riverside terrace area.

### Ground floor level

- Removal of the existing smoking shelter and the provision of a new smoking shelter at the rear of the property;
- The provision of a new street level terrace area;
- The alteration of windows in the front elevation (north east) with a reduction of the existing cills and the installation of full height glazing;
- The installation of a new access door on the front/side corner of the building using the existing window opening allowing access onto the new street level terrace area;
- The installation of a new triple access door, using three existing window openings on the side elevation (north west) onto the new street level terrace area;
- Installation of a new access door in the rear elevation (south west) to allow access onto the rear smoking shelter; and
- The provision of a smoking shelter on the rear elevation of the premises. The roof of the smoking shelter would be formed by the new fire escape.

### Ground/first floor

- Provision of a fire escape stairs from the first floor area on the rear elevation (south west). The fire escape would form the roof of the proposed ground floor smoking shelter.

### First Floor

- The installation of three new door entrances using the existing window openings in the rear elevation (south west) of the property. The entrances would allow access from the first floor onto the rear fire escape.

## **SITE APPRAISAL**

The property is a prominent, commercial scale premises located close to the historic Pontypridd Bridge on a main arterial route into Pontypridd town and within the Pontypridd (Taff) Conservation Area.

The premises has a boundary with the River Taff to its western boundary and is a three storey, stone fronted property (one floor is a basement level, below the main highway to the north and east) with an attractive façade that is in need of some refurbishment.

This application, for full planning permission for the refurbishment of the property along with alterations to the façade and the creation of additional outside terrace areas, was accompanied with an application for replacement and additional signage which was approved earlier this year.

## **PLANNING HISTORY**

19/1315	Malsters Arms Public House, Bridge Street, Pontypridd CF37 4PF	External signage.	Granted 21/05/2020
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## **PUBLICITY**

This has included neighbour notification letters, site notices and a notice in the press. No responses have been received.

## **CONSULTATION**

Transportation Section – no objection or conditions suggested.

Flood Risk Management (Drainage) – no objection. The applicant should be advised that the proposed development works will require separate Flood Defence Consent from Natural Resources Wales in relation to the land falling within a C2 Zone and B Zone of the Development Advice Map.

The applicant should also be made aware that based on the size of the works they will have drainage implications and the applicant would be required under Schedule 3 of the Flood and Water Management Act 2010 to submit an application for sustainable drainage approval prior to works taking place; alongside this requirement the applicant is required to comply with Part H of the Building Regulations

Public Health and Protection Division – no objection subject to a condition to control the hours of operation during the construction phase of the development and standard informative notes.

Additionally advises that the development has the potential that activities associated with its use may have a negative impact on the amenities of the area as a result of noise.

As such it is requested that the applicant submit an acoustic report in respect of the proposed development. The report should include any mitigation measures identified. The report shall be submitted to and agreed by the Local Planning Authority prior to determination. The scheme, as approved, shall be implemented before the development is brought into beneficial use and shall remain in place thereafter.

Natural Resources Wales (NRW) – no objection. Advice is offered in respect of flood risk and the need to separately apply for a Flood Risk Activity Permit. Additionally, advice is offered in relation to any trees that may be felled as a result of the proposal.

Dwr Cymru Welsh Water (DCWW) – no objection subject to a condition that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and advisory notes.

South Wales Fire and Rescue Service – no objection. The developer should ensure that an adequate supply of water and access is available for emergency firefighting appliances.

Countryside, Landscape and Ecology – no objection. The submitted survey is appropriate and found negligible bat potential through a building investigation and emergence surveys. Therefore no European Protected Species Licence is required. A condition is however required to ensure that the bat/bird enhancement measures in 4.2 of the ecology report are delivered and as a precaution a bat informative note should be attached to any planning permission.

South Wales Police – no response received.

Pontypridd Town Council – no objection.

## **POLICY CONTEXT**

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

The application site is within the settlement boundary of Pontypridd, is within the Pontypridd (Taff) Conservation Area, is close to the retail centre of a Principal Town (Pontypridd Town – Policy SSA 16.1 refers), and is adjacent to several prominent Listed Structures.

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

**Policy AW2** - supports development proposals in sustainable locations including sites within the defined settlement boundary.

**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** – refers to the protection and enhancement of the built environment. This policy states that development which impacts upon sites of architectural and historic 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 SSA1** – gives criteria for development in the Principal Town of Pontypridd including: Reinforcing the role of Pontypridd as a Principal Town; respecting the culture and heritage of Pontypridd; is of a high standard of design and makes a positive contribution to the townscape of the defined town centre and that it would integrate positively with the built form.

**Policy SSA16.1** – recognises Pontypridd as a Principal Town and supports development that would maintain or enhance its position in the retail hierarchy.

### **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 (TAN) 12 – Design (2016)

PPW Technical Advice Note (TAN) 24: The Historic Environment (2017)

### **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**

In planning terms the applications proposes the refurbishment of this prominent roadside pub within the environs of a Principal Town (Pontypridd) as well as the creation of two separate external terraced areas.

The principle of the development, that of updating, refurbishing and improving the facilities of the premises are considered to be broadly acceptable. This premises has suffered from a prolonged deterioration which has been exacerbated by a lack of investment and vision which this proposal seeks to arrest and reverse.

The re-use of previously used elements, such as the cellar bar area and the expansion of outside amenity areas are welcomed and are particularly pertinent in the current climate of the global pandemic where outside space is at a premium.

The refurbishments to the main property are considered to be well designed and, subject to suitable and sympathetic materials, would positively improve and upgrade the character and appearance of this prominent, roadside premises.

Consequently, it is considered that the principle of the proposal is acceptable.

#### **Impact on neighbouring residential properties**

The application premises is located within a prominent roadside position within the town centre of Pontypridd. The area is characterised by a mix of predominantly commercial properties on Ceridwen Terrace, many of which feature residential flats above.

In such areas residents are often used to higher levels of noise and disturbance as a result of living within a commercial area of a main town, as well as the main arterial road through it.

The proposal is to an existing public house and would expand its facilities with two new terraced areas. However, the existing enclosed area to the south east corner of the premises would already have a similar impact and has successfully operated at this location for a number of years.

The comments of the Public Health and Protection Division are acknowledged, in this regard however it is considered that due to the existing levels of activity at the site and the similar facility of the roadside terrace and the existing external area at the opposite side of the property, would make their suggested condition both unreasonable and unnecessary.

It is also noted that there have been no objections received as part of the neighbour notification process undertaken for the application.

It is therefore considered that the proposed re-development of the property would not have a significant additional impact on the amenities of neighbouring properties.

### **Visual amenity of the area**

The property is located within the Pontypridd (Taff) Conservation Area, close to the retail area of the Principal Town and in close proximity to several important Listed Structures.

In terms of the effect of the proposal on the visual amenity of the area, with particular relevance to the Pontypridd (Taff) Conservation Area, it is considered that the proposal would improve and update the external appearance of the existing building, while improving its utility as a business, with some more contemporary additions, in this case in the form of terrace areas. As such the overall package of works would be visually acceptable and would provide some much needed investment to this prominent roadside property.

Consequently, it is considered that the proposed works would be acceptable in terms of the visual amenity of the area, particularly the character and appearance of the Pontypridd (Taff) Conservation Area within which it forms a prominent and important landmark.

### **Highway safety**

The application has been subject to consultation with the Transportation Section of the Council who have raised no objection to the proposal.

In coming to this view it is acknowledged that the proposal is in a sustainable, town-centre location and there is no potential to provide curtilage parking.

Therefore considering the above, the proposal is considered to be acceptable in this regard.

### **Other issues**

The comments of the Public Health and Protection Division are addressed earlier within the report in terms of the impact of the proposal on neighbouring properties.

Their additional comments for the inclusion of a condition to restrict the hours of operation during the construction phase of the development are acknowledged. However, it is considered that this issue can be better addressed through other legislative controls open to the Council.

In terms of ecology, the comments of the Council's Ecologist are acknowledged. The requirement that a condition be imposed to ensure the recommendations of the supporting ecology report can be delivered is considered to be reasonable and necessary.

The comments of NRW are acknowledged and can be appended as an informative note to the applicant.

Similarly, the comments of the Council's Drainage Section in relation to the separate requirement for sustainable drainage approval can also be appended as an informative note to the applicant.

### **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**

It is considered that the proposed works would improve the facilities of the existing premises and revitalise this dated property. The works are considered to be visually acceptable and would have a positive effect on the special character and appearance of the Conservation Area within which the building is an important and prominent part.

Additionally, the works would not have a detrimental impact on neighbouring properties, highway safety considerations or, subject to appropriate conditions, ecological considerations. Other issues, such as drainage are covered by other consenting regimes and the applicant can be informed about these issues through informative notes.

### **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 plan(s) no(s)
  - Site location plan
  - Plans as proposed
  - Elevations as proposed

and documents received by the Local Planning Authority on 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. Building operations shall not be commenced until samples of the materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

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

4. Notwithstanding the approved details, prior to beneficial use of the proposal commencing the applicant shall submit details of ecological improvements to the property in accordance with the recommendation of section 4.2 of the accompanying ecology report - Preliminary Roost Assessment Survey and Bat Emergence Survey, Maltsters Arms, Bridge Street, Pontypridd, Mid Glamorgan, CF37 4PF - Steve Robinson – Arbtech, Final Draft dated 05/10/2020.

Reason: In the interest of nature conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.