



## **PLANNING & DEVELOPMENT COMMITTEE**

**16 SEPTEMBER 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0924/10 (GD)  
**APPLICANT:** Edwards Investments  
**DEVELOPMENT:** External and internal alterations to existing use class A1 (Shops) and facilitate additional use classes - A2 (Financial and Professional), A3 (Food and Drink) and B1 (Business) and external hard landscaping to be upgraded on ground floor and basement.  
**LOCATION:** GROUND FLOOR AND BASEMENT AT 56 - 58 TAFF STREET, PONTYPRIDD, CF37 4TD  
**DATE REGISTERED:** 29/06/2021  
**ELECTORAL DIVISION:** Town (Pontypridd)

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**RECOMMENDATION:** Approve

#### **REASONS:**

**The principle of the proposed development is considered acceptable in terms of planning policy and the proposed mix of uses represents an innovative use of the primary frontage that will keep it live**

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

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

#### **APPLICATION DETAILS**

This application seeks planning permission for alterations and changes of use to the ground floor and basements areas of 56-58 Taff Street Pontypridd. The basement is currently unused save for a small area that functions as a bin store for the flats on the first and second floors of the building. The ground floor which fronts Taff Street at street level currently functions as an A1 retail use clothes shop.

The application proposes that the ground floor be put to a number of uses in the front half there would be a small café area (use class A3) and a series of stalls for small start-up entrepreneurs to sell goods. The rear half of the first floor would be given over to flexible office space seven individual work pods and toilet facilities (use class B1). The basement would become an A3 bar with associated facilities including beer store and cellar, kitchen facilities and storage along with customer toilets.

In terms of external alterations existing window openings will be reinstated on the western elevation and the existing air conditioning units will be decommissioned and replaced with flush fitting air extraction units. On the rear elevation one window will be reinstated and act as a serving hatch for the external area which itself will be cleared to create a sitting out area for the bar – this will involve the levelling of the area and the erection of a retaining wall to the car park area. The existing access door will also be replaced.

Alterations to the shop front if required, along with any new advertisements will form the subject of separate applications where and when appropriate.

## **SITE APPRAISAL**

The application property is located towards the northern end of Taff Street on its eastern side. The principal frontage of the property is on to Taff Street while the rear of the building faces the Gas Road car park, River Taff and Ynysangharad Park. The property is a substantial building and presents a dominant appearance on this part of Taff Street, it is three storeys with prominent bay windows on its front elevation and four storeys at its rear. Above ground floor level the building has a centrally located light well which draws natural light down into the centre of the building. The building is built in stone with some brick detailing and has a slate roof. The retail unit at ground floor is occupied by Pepp & Co. at the moment and the upper floors have been converted to flats in the last five years and basement remains unoccupied other than for the use of part of it as a bin store. The building appearance on its principal elevations has been improved considerably by the works involved in creating the flats.

In terms of the wider locality the property is situated within the principal shopping area of the town and it also lies within the town centre Conservation Area and is opposite Ynysangharad park which is on the Cadw/ICOMOS register of historic Parks Gardens and Landscapes in Wales.

## **PLANNING HISTORY**

16/0890	Replacement signage scheme	Approved 03/10/2016
16/0013	Installation of shopfront and associated works (retrospective)	Approved 24/03/2016

15/1613	The creation of 2 new flats (first floor) and minor internal alterations to the previously approved layout (additional information received 19 <sup>th</sup> January 2016)	Approved 10/03/2016
15/0688	Installation of new shop front and retention of single ground floor retail unit and refurbishment of external elevations	Approved 03/07/2015
14/1265	Retention and subdivision of ground floor retail units with new shop fronts and the conversion of the upper two floors into residential accommodation for 11 flats with associated works	Approved 25/02/2015
14/0922	Retention of ground floor retail units and new shop front, and the conversion of the two upper floors of the building to new student accommodation and associated works	Withdrawn 19/09/2014
12/1278	Internal and external alterations to create a single A1 retail unit	Approved 07/02/2013
97/2910	New shop front	Approved 15/12/1997
97/2909	Change of shop front	Withdrawn 10/12/1997
56/79/0596	Fire escape	Approved 05/06/1979

## **PUBLICITY**

The application has been advertised by means of site notice and neighbour notification letters and no observations or objections have been received.

## **CONSULTATION**

Transportation Section – No objections or conditions suggested

Natural Resources Wales – have no objections to the proposed development and advise that the developer be made aware of the flood risk to the proposed development and suggest the incorporation of flood resistance/resilience features into the proposed development.

Flood Risk Management – No objection subject to conditions

Public Health & Protection – No objections subject to conditions relating to hours of operation, noise dust and the disposal of waste.

South Wales Fire & Rescue Service – no observations received

South Wales Police – No observations received

## **POLICY CONTEXT**

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

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

**Policy AW2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

**Policy AW5** - sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6** - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

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

**Policy SSA1** – offers support for proposals that reinforce the role of Pontypridd as a principal town.

**Policy SSA16** – places Pontypridd at the top of the retail hierarchy in the Southern Strategy Area

**Policy SSA17** – promotes retail development and improvements within principal towns in the southern strategy area

### **Supplementary Planning Guidance**

Design and Placemaking

The Historic Built Environment

Design in Town Centres

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 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues

relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed

- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 6 - Town Centre First – commercial/retail/education/health/public services
- Policy 8 – Flooding – flooding/flood risk management
- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 15: Development and Flood Risk;  
PPW Technical Advice Note 23: Economic Development  
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:**

In this instance the application relates to a property that lies within defined settlement limits and is also located within the retail centre of Pontypridd and the town centre conservation area. As such the key determinants in the case are considered to be the principle of the proposed development, the impact of the proposal on the character and appearance of the area, the impacts on amenity, access and highway safety and flooding. These issues are addressed in turn below.

### **Principle of the proposed development**

The nature and location of the proposed development means that it is affected by several layers of planning policy that relate to retailing, town centre vitality and conservation. In this instance the proposed arrangement is such that the proposals satisfy the demands of planning policy. An active street front retailing presence is maintained with the Taff Street ground floor unit being repurposed. The building basement will be renovated to a high standard in a manner that is sympathetic to its conservation area status and the introduction of an A3 use will bring some life to the rear elevation facing the carpark, adding to town centre vibrancy and vitality. The net result of the proposed development in planning policy terms is that all key areas are satisfied by the current proposal.

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

The application property is a substantial and visually prominent building located on the eastern side of Taff Street towards its northern end and at the northern end of the conservation area. The building has been improved in recent years through a substantial refurbishment of the ground first and second floor as a retail unit with flats over and this has delivered substantial improvement to character and appearance of the shopping centre and conservation area. The one element remaining that requires further work is the basement of the building at the rear and the land around it and this application offers the possibility of improving the remaining element of the building that requires improvement.

Consequently, the proposed development is considered to make a positive contribution to the character and appearance of the locality and are considered compliant with the requirements of Local Development Plan policies AW5, AW6 and SSA 1 insofar as they relate to this issue.

### **Impact on residential amenity and privacy**

The current proposals represent the continuation of the refurbishment of the building which is located within the shopping centre of Pontypridd. The upper floors are now at least in part occupied as residential units and the A3 use in the basement might have some adverse impact on residents. However, having regard to the fact that the ground floor would sit between the residential and A3 unit and the fact that this is a town centre location where lower level of privacy and residential amenity would be expected the arrangements are considered acceptable. The proposals do not extend the building in

any way and there would be no additional impact in terms of overshadowing or loss of light beyond that which already exists.

Given the above, the proposals are considered satisfactory in the context of their impact on any residential property around the application site and therefore compliant with the requirements of Local Development Plan policies AW5 and AW6 insofar as they relate to this issue.

## **Flooding**

Though Natural Resources Wales have not raised objection to the proposed development, they note the initial lack of a Flood Consequences Assessment and acknowledge that the proposals could be acceptable subject to the developer being made aware of the potential flood risk and advised to install flood proofing/resistance/resilience measures as part of the development. To that end the applicant has submitted flood consequences assessment in support of the application. The study evaluates the impact of flooding on the proposed development from river flooding and from overland flows. The study concludes that the development will not increase the site's impermeable area and as such will have no impact on local flood risk. The study also suggests appropriate mitigation measures including –

- Finished floor levels being no lower than existing ground floor levels.
- Using flood resistant materials and services being placed as high as practicable to reduce flooding impacts.
- Occupants signing up to NRW's emergency flood warning direct service.
- Safe egress to flood zone 1 remaining available to the west of the site.

The Flood Consequences Assessment concludes taking into account climate change, the vulnerability of its users and the proposed mitigation measures, that the proposed development would be safe for its lifetime and will not increase flood risk elsewhere. Given the above the proposed development is considered acceptable and there is no basis for resisting the current proposals on flooding grounds.

## **Other issues**

Members will note the requirement in the comments of the Public Health & Protection Division relating to noise, dust and the disposal of waste. Whilst the contribution is appreciated these matters are more effectively addressed through other legislation.

## **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**

The application is considered to comply with the relevant policies of the Local Development Plan that relate to the range of uses proposed and those that aim to preserve the character and appearance of the conservation area. Additionally, the impacts of the proposed development on amenity are manageable and acceptable. The flooding issues has been adequately addressed. Consequently, a positive recommendation to support the application is made.

## **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 and block plan drawing no. jw 1037 – 100
- Existing plans and elevations drawing no: jw 1037 – 101
- Existing/proposed plans and elevations drawing no: jw 1037 – 102A
- The Flood Consequences Assessment prepared by STM Environmental dated 24/08/2021.

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

3. There shall be no outside storage whatsoever on the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area in accordance with Policies AW5 and AW6, of the Rhondda Cynon Taf Local Development Plan.

4. The development for which permission is hereby granted shall not be commenced until full details of the surfacing materials proposed to be used on any roadway, footpath, car park, lay-by, play areas or other paved or



metalled areas have been submitted to and approved, in writing, by the Local Planning Authority and no dwellings shall be occupied until the works have been completed in accordance with the approved details.

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

5. Opening hours for the uses approved under this planning application shall be as follows –

Monday to Friday	08:00 to 23:00 hours
Saturday	08:00 to 23:00 hours
Sunday and Bank Holidays	10:00 to 23:00 hours.

Reason: to ensure that any noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Deliveries to and collections from the site relating the uses hereby approved are restricted to the following hours of operation –

Monday to Friday	08:00 to 18:00 hours
Saturday	08:00 to 18:00 hours
Sundays and Bank Holidays	10:00 to 16:00 hours

Reason: to ensure that any noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.