



PLANNING & DEVELOPMENT COMMITTEE

7 OCTOBER 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0233/10 (BJW)
APPLICANT: Mr J Evans
DEVELOPMENT: Proposed conversion of and 3 storey extension to existing office building to provide 10 residential units and 1 commercial unit (coffee shop/cafe). (Bat survey report received 02/09/2021)
LOCATION: THE FORMER RATES BUILDING, 42 HIGH STREET, ABERDARE, CF44 7AA
DATE REGISTERED: 02/09/2021
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve.

REASONS: The application proposes the productive use of a currently semi-derelict, disused and vandalised pair of Georgian semi-detached houses, last used as offices, through internal conversion and a rear extension as a commercial premise and a total of 10 apartments.

The approach to the proposal has been informed through a thorough evaluation of the heritage asset by way of the Heritage Impact Assessment (HIA) and the accompanying Listed Building Consent (LBC) application accepted by Cadw.

The proposal would retain the character and appearance of the vast majority of the external features of the front elevation as well as an important internal staircase that would be retained in situ as a feature at the property.

It is considered that the current proposal represents a positive and acceptable opportunity to bring this disused and semi-derelict building into productive use. For this reason it is considered that the alterations would be acceptable.

The use of the property would be sympathetic and in keeping with surrounding land uses, which include commercial use on the ground floor and residential upper floors, and would comply with the requirements of the Council's

Supplementary Planning Guidance (SPG) for the conversion of larger buildings for residential purposes. The proposal would also add to the vitality and viability of the retail centre of the Principal Town of Aberdare. The works would also be appropriate to the character and appearance of the Aberdare Town Conservation Area.

Furthermore, it is considered that the proposal would not have a detrimental impact on neighbouring properties, the visual amenity of the area or highway safety considerations.

Details in respect of the Air Quality Management Area (AQMA) can be secured through the imposition of an appropriately worded condition.

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

REASON THE APPLICATION IS BEING REPORTED TO COMMITTEE

The application is for more than 5 units of accommodation and, as such, is within a category of development where the decision-making powers are not delegated to officers.

APPLICATION DETAILS

Full planning permission is sought for the conversion and extension of the former Rates Building, 42-43 High Street, Aberdare into a commercial unit on the ground floor and ten residential apartments over the ground, first and second floors (six within the new rear extension).

Specifically, the proposal would propose the following:

- Ground floor – an open plan commercial unit (café/coffee shop) retaining the existing pitch pine stairs as an “in situ” feature. Opening hours would be 8am to 6pm Monday to Saturday and 10am to 4pm Sundays;
- Conversion of the upper two floors of both properties to form 1 x 1bed and 1x 2 bed apartments on each floor (4 units in total); and
- Erection of a new, three storey rear extension measuring a total of 13m in width (over two gables of 6.5m in width each) by 11.3m in depth by 9.6m to the eaves and 11.9m to the apex of the gables. Each floor would consist of 1x 1 bed and 1x 2 bed apartments (6 units in total).

Access to the ground floor and upper floor accommodation of the existing building and the new extension would be formed at the side of the new extension where it meets

the corner of the existing building and would be via a glazed, full height door and would also feature a series of glazed features for each upper floor.

This application is accompanied with the following additional information:

- Heritage Impact Statement (HIS) – Holland Heritage (March 2021) (to accompany the LBC application);
- Additional details have been submitted in relation to removal of the ceiling, the reuse of columns, the retention and cleaning of memorial plaques, roof-light and shared utility apparatus; and
- Bat Survey Report – Koru Ecology Associates (September 2021)

The application for Planning Permission was also accompanied by an application for Listed Building Consent (LBC), reference no. 20/0212/12. The associated LBC application has already been forwarded to Cadw as the ecology report that has delayed the consideration of the full planning application was not required to inform that application. Cadw have resolved that the scheme for LBC, which is considered acceptable by the Local Planning Authority, does not need to be referred to the Welsh Ministers for consideration and can be determined by the Council.

SITE APPRAISAL

The site is a three-storey building within Aberdare town centre and Town Centre Conservation Area, between Aberdare Constitutional Club, the Health Centre and the rear of properties in Maendy Place. It was previously a disused office building for a prolonged period of time (in excess of 15 years) and is now partially derelict and suffering from continued deterioration due to lack of maintenance, disuse, vandalism and rodent infestation.

The applicant's agent is of the opinion that the building has not been used since the early 1990s, before which it was used as a rates building by Cynon Valley Borough Council. However, there is some evidence to suggest the building was used for storage until 2003.

As stated above, the building is grade II listed. It is thought to have been built in the early to mid 19th century, and it has a fine façade, which retains the majority of its original features, including its sash windows, original pattern of fenestration, slate roof and ionic porch. The Aberdare Conservation Area Appraisal and Management Plan (2008) states the following in respect of this building:

“42-43 High Street is listed as an early to mid 19th century three-storey late Georgian building with a rendered façade, plinth and first floor sill band detailing. The slate roof, with its ridge of crested tiles, has three narrow rendered chimney stacks and wide boarded eaves with deep curved brackets. The building has a five bay window arrangement with architraves to the twelve-pane sashes and small pane tripartite windows at either end on the ground floor. An ionic porch with iron columns, dentil

cornice, deep-boarded fascia and panelled reveals identifies the main entrance. This building has similar architectural detailing to the late-Georgian Black Lion Hotel, and its location on a main route in and out of town gives the impression of a former important building.”

The Listing details for the properties are detailed in record nos. 10852 (No. 42) and 10853 (No. 43).

PLANNING HISTORY

20/0212	The Former Rates Building, 42-43 High Street, Aberdare, CF44 8AA	LBC for conversion of office building to 10 residential units and 1 commercial unit (coffee shop/cafe).	Pending (Listed Building Consent has been authorised by Cadw – 13/05/2021)
10/0853	As above	Works to trees in Conservation Area	Withdrawn 14/11/2014
08/0023	As above	Proposed Change of Use from offices to bar/restaurant and second floor flat, demolition of existing rear 2 storey extension and single storey pre-fab annex. Proposed 2 storey extension to rear of property, material improvements to existing elevations and external areas.	Granted 29/06/2010
08/0020	As above	Proposed Change of Use from offices to bar/restaurant and second floor flat, demolition of existing rear 2 storey extension and single storey pre-fab annex. Proposed 2 storey extension to rear of property, material improvements to existing elevations and external areas. (Application for LBC)	Granted 29/06/2010

PUBLICITY

This has included site notices, a press notice and the direct notification of properties surrounding the site. Responses have been received from two separate parties, the main points of which are detailed below:

1. Loss of privacy in our office due to the upper levels of 42 High Street being converted into flats.

2. Another coffee shop in an already saturated town full of eating places and coffee shops.
3. Existing coffee shop on same street which will mean that they will be approx. 100 yards apart.
4. Existing eating place next door in Aberdare Conservative Club.
5. Cleanliness – debris from existing coffee shop already impacting on cleanliness of area.
6. Parking for residents – public car parks already overcrowded
7. Historical building – will it be subjected to conform under the historical building regulations?
8. My wife and I would welcome the renovation of what is a splendid building left to ruin over recent years. Our only but important objection would be to the proposed coffee shop as it would duplicate what already exists directly opposite. This perhaps would also be in contravention of your Policy AW2 – The design/use 2. Would not unacceptably conflict with surrounding uses.
9. We have been invited along with others to use both the Black Lion and the Boot Hotel sites for coffee shops without success so this would be just another too close to already saturated facilities of this kind.
10. I'm hopeful that other retail uses can be found or perhaps in this case as it is on the edge of the town centre that the whole building becomes residential?

CONSULTATION

Transportation Section – no objection, subject to a condition to secure additional cycle parking provision within the curtilage of the site for the use of the residents of the proposed flats.

Flood Risk Management - no objection or recommendation for condition. In relation to surface water flood risk for this application it is considered that the developments' surface water flood risk will be adequately managed by both the Building Regulations and Schedule 3 of the Flood and Water Management Act 2010.

Public Health and Protection Division – no objection, subject to the following conditions:

Hours of operation during the construction phase of the development.

The application site is within an Air Quality Management Area. As such there is the potential for future occupiers of these proposed residential units to be adversely affected by poor air quality.

In order to ensure that future occupiers of the residential units are not adversely affected by poor air quality, an air quality assessment should be carried out. The report should include any Mitigation measures identified. The report shall be submitted to and agreed by the local planning authority prior to determination. If any mitigation

measures are specified they should be carried out and approved prior to beneficial use.

A condition in relation to extraction systems for the proposed café/coffee shop including a noise assessment of the apparatus and associated grease traps.

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

Countryside, Landscape and Ecology – the Bat Report for this application is a very competent and appropriate assessment. The application can proceed, subject to conditioning for details of all ecological mitigation and enhancement measures (including repeat surveys) as identified in Section 6 Recommendations of the Koru Ecology Associates survey report for the 'Former Rates Building, Aberdare' 2021.

South Wales Fire and Rescue Service – no objection. The developer should consider the need to ensure an adequate supply of water for fire-fighting purposes and access for emergency fire-fighting appliances.

South Wales Police – raise no objection. Advice is offered in relation to features that are Secured by Design to assist in the reduction of crime and disorder.

Where appropriate South Wales Police would ask the authority to consider placing conditions on developers to reduce the potential for future crime and disorder issues.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The properties are within the defined settlement boundary, within the retail area of a Principal Town (Aberdare), within a Conservation Area (Aberdare Town) and are Grade II Listed Buildings.

Policy AW 1 - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 –2021.

Policy AW 2 - 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 AW10 – requires development proposals to have an acceptable impact on health and safety and local amenity in respect of issues such as pollution control and flooding.

Policy NSA1 – identifies the criteria for assessment of residential and commercial development within the defined town centre of Aberdare.

Policy NSA12 – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries.

Policy NSA18 – identifies the retail hierarchy for the Northern Strategy Area with Aberdare being classed as the Principal Town. Supports retail development and Class A uses in the retail centre of Aberdare that would maintain or enhance its position at the top of the retail hierarchy.

Policy NSA19 – considers retail development in Principal Towns. New and improved retail (Class A) facilities and other uses that are appropriate within the town centre will be permitted within the retail centre of Aberdare subject to certain criteria, including a limit of 25% on A2 and A3 units along the primary retail frontages.

Supplementary Planning Guidance (SPG): Development of Flats - Conversion and New Build

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) 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. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is 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.

Furthermore, it is considered the scheme aligns with the overarching sustainable development aims of FW2040.

Other relevant national policy guidance consulted:

Technical Advice Notes

- PPW Technical Advice Note 24: The Historic Environment.
- PPW Technical Advice Note 4: Retailing and Town Centres;

- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design.

Other relevant national planning policy guidance

- Historic Environment (Wales) Act 2016;
- Planning (Listed Building and Conservation Areas) Act 1990.

Cadw guidance

- Managing Change to Listed Buildings in Wales, May 2017;
- Managing Historic Character in Wales, May 2017.

The above chapters and Technical Advice notes and guidance set out the Welsh Government's policy on planning issues relevant to the determination of this planning application.

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.

This property is a Listed Building that is located within the Aberdare Town Conservation Area and the retail area of the Principal Town of Aberdare.

The property has been disused and in a derelict and worsening condition for more than 20 years and is currently visually detrimental to the character and appearance of the Conservation Area and the vitality and viability of the retail area.

Despite a previous approval for an alternative scheme to re-develop the site in 2010 which saw some aspects of the development, mainly demolition, being undertaken, the site has been in decline for a considerable period of its most recent history.

As set out above, the associated LBC application that accompanied the planning application has already been forwarded to Cadw as the ecology report that has delayed the consideration of the planning application was not required to inform that

application. Cadw have resolved that the scheme for LBC, which is considered acceptable by the Local Planning Authority, does not need to be referred to the Welsh Ministers for consideration and can be determined by the Council.

The proposal is fairly strident and consists of a change of use of the ground floor for commercial use, the creation of apartments within the upper floors and an enabling development by way of a large rear extension.

The planning merits for the re-use of a prominent, landmark, building of acknowledged historical and architectural merit within both the Conservation Area and retail centre are clear. The proposal would secure a suitable and acceptable alternative use for the building that would be consistent with surrounding land uses, which are mainly commercial. The use of the upper floors for residential purposes would also be in keeping with development plan policy as well as established national guidance.

The proposal would also retain, preserve and enhance the most important remaining features of the existing front façade of the property, as well as retaining its sense of scale and prominence.

While it is acknowledged that the enabling development to the rear represents a large, contemporary addition to the property, it is considered that this approach is acceptable due to its location at the rear of the site and the “honest” nature of this type of addition to the property.

As is detailed above, the property has been disused for a considerable period of time. Its last use was as a rates office for the Local Authority which would be considered as Class B1 – Offices. It has not been in use by Rhondda Cynon Taf CBC with the previous use being undertaken by Cynon Valley District Council up until local government reorganisation in 1996.

Consequently, due to the length of time since its previous substantive use, any new use would be considered as additional to the existing provision within the area.

In this regard National Guidance considers that retail uses (A1) should underpin centres however a lively mix of uses, including A2 and A3 uses, is encouraged in order to promote and improve vitality and viability.

Additionally, Development Plan Policy (NSA 19) recognises that A3 uses can add vitality and viability by attracting footfall that benefits the daytime and evening economy in existing retail centres. It does however aim to avoid an over-concentration of such uses as they inevitably detract from the established retail character of the area. The policy seeks day time opening hours and encourages cafes and restaurants that complement the retail centre, thus avoiding hot food takeaways that are closed throughout the day make only a limited contribution to the Principal Town.

As this application proposes to open from 8am until 6pm (with reduced hours on Sundays and Bank Holidays) it is considered that it would not have a detrimental impact upon the retail frontage within Aberdare. It is also considered that an over-concentration of A3 uses would not be an issue in this instance as there would still be a predominance of properties in A1 use. Additionally, the change would not result in the loss of A1 floor space as the property has been disused for such a lengthy period. Consequently, the predominant use within the centre would remain as A1 in Aberdare and as such the character of the retail centre is maintained.

Consequently, it is considered that the principle of a change of use to an A3 use is acceptable.

The use of the upper floors is considered to be sound in terms of development plan policy, the SPG for flats and established National Guidance. Residences over shops within existing centres maintain levels of activity and surveillance at times where activity would be less due to the closure of the commercial use. This generally leads to greater levels of community engagement, a sense of ownership and reduced crime and antisocial behaviour.

Having regard to the assessment above, the principle of the development is considered to be acceptable.

Impact on the retail area of a Principal Town (Aberdare)

The site is within the retail area of a Principal Town. As such developments for retail units and other uses should enhance or maintain the centre's position within the retail hierarchy.

As detailed above, due to the length of inactivity at the site the proposed use is actually considered to be additional provision of commercial facilities. Furthermore, it is considered that the change of use of the ground floor to an A3 use would add to the mix of shops within the retail area and consequently, to the vitality and viability of the area. Additionally, the development would also bring this part of the disused building into a more productive commercial use.

Consequently, it is considered that the change of use would positively meet the requirements of the policy for the retail centre and maintain and enhance the centre's position in the retail hierarchy and is acceptable.

The use of the upper floors for residential use and the additional provision by way of the rear extension as enabling development is also considered to align with development plan policy, SPG and National Guidance in terms of acceptable supplemental uses.

Impact on amenities of neighbouring properties

The property is on the edge of the retail area of the Principal Town of Aberdare. Consequently, neighbouring uses are predominantly commercial although there are some properties with residential uses on the upper floors.

Due to the relationship of the existing property with its immediate neighbours, it is not considered that the proposed development would have a detrimental impact on the existing levels of privacy and amenity to either existing residences or those being created. Indeed, no objections have been raised by neighbouring residential properties in this regard.

The comments made by one respondent, that the upper floor residences would impact on the privacy of their offices are acknowledged. In this regard it is considered that the site is off-set from the objector's property and has a reasonable minimum distance of over 18m, window-to-window. Additionally, the original use of the property was as a pair of Georgian semi-detached dwellings and the property was previously approved for a first-floor residence (flat) in 2010. Furthermore, the office use could secure additional privacy measures through the use of reflective film or blinds.

Character and appearance of the area

The proposal would affect minimal alterations to the front façade of the property and what is proposed is considered to be sympathetic and in keeping with the special historic and architectural significance of the property and the Conservation Area. Materials and other details, including replacement windows, rainwater goods etc. can be adequately controlled through appropriately worded conditions.

The large enabling development to the rear of the property is considered to be capable of being accommodated at the site without leading to over-development.

Due to the glazed link arrangement and its location the new extension would be read as an obvious and honest addition to the property. This is an approach that is often used when making additions to historic buildings and has been successfully employed, as it is here, to enable the wider conservation of a historic property by adding financial viability to the overall package.

The renovation of the property would have the obvious benefit of improving the visual appearance of this currently disused and dilapidated property which has been a notable eyesore within the street-scene and wider locality for many years.

Consequently, the proposal is considered to be acceptable in this respect, subject to conditions.

Highway safety

The application has been subject to consultation with the Transportation Section who have raised no objection, subject to a condition requiring the provision of cycle stands to serve the development.

In coming to this view Highway colleagues have made the following observations:

Site Location

The proposed is located in the retail area of Aberdare Zone 1 close to a number of local facilities, public car parks and public transport links with both bus and rail stops in close proximity.

Access

Primary access to the proposed is directly off High Street A4233 for the retail / commercial unit with access to the flats via an adopted footway to the side elevation. High Street A4233 provides safe and satisfactory vehicular and pedestrian access.

Traffic Regulations

There are double yellow lines on both sides of the carriageway along High Street A4233 preventing on street car parking and loading at any time. The town centre car parks are short term for the use of the town centre trade. However, are available for use free of charge outside peak trading times.

Parking

The proposed flats Zone 1 require up-to a maximum of 1 off-street car parking space per unit (10 spaces) in accordance with the SPG Access, Circulation & Parking 2011 with none provided.

There is no access to the rear to provide off-street car parking for the proposed.

There is concern that the proposed will result in indiscriminate on-street car parking within the residential streets in the vicinity of the site increasing risk of harm to all highway users. The town centre car parks are free for use after 18:00pm outside of the current temporary restriction where the car park charging system operates until 10:00am only.

Aberdare Town Centre has already gone through a parking review with residents parking, and various other parking restrictions implemented to maintain free flow of traffic and maximise resident permit parking.

The existing / proposed has restrictions on both sides of High Street A4233 preventing indiscriminate on-street car parking.

The proposed A3 use would require no off-street car parking provision. The SPG requires that servicing can take place without unduly affecting highway safety and free flow of traffic. There is concern that the nearest service bay is located on Cannon

Street A4233 some 40m away. However, taking into account the restriction fronting the site preventing any parking including loading, on-balance is acceptable.

Cycle Parking

There is potential to provide secure cycle storage within the site to promote sustainable modes of transport with less reliance placed on the private motor vehicle and a condition has been suggested accordingly.

Conclusion

There is concern that long term residential parking will take place in the residential streets to the detriment of safety of all highway users and free flow of traffic. However, taking into account the sustainable location of the proposed in Zone 1 Principal Town, the existing restrictions in place preventing on-street parking, the close proximity of the public car park which can be utilised free of charge 18:00pm-08:00am and the proposed brings a derelict building back into use, on-balance the proposed is considered acceptable, subject to the condition referred to earlier in this section of the report.

Having regard to this through assessment of the proposal it is considered that, subject to the suggested condition, the proposal is acceptable in this respect.

Other issues

The comments of the Public Health and Protection Division in respect of a condition to restrict the hours of operation during construction are acknowledged, however it is considered that this issue can be better addressed through other legislative controls open to the Council.

The requirement for an air quality assessment is acknowledged. However, it is considered that this can be included as a restrictive condition to be produced and approved prior to commencement and implemented prior to beneficial occupation.

Similarly, the requirement for odour control, noise and grease containment for the food premises are considered to be reasonable and necessary to regulate the proposed development.

In terms of the comments of neighbouring residents, where these issues have not been addressed already within the report, the following comments are offered:

The use of the property as an A3 use (café/coffee shop) does not displace any additional commercial use at the site due to the prolonged period of inactivity. The commercial use is, therefore, the new provision of commercial activity, in addition to the existing provision within the retail centre.

As detailed above, this would add to the vitality and viability of the retail centre of the Principal Town of Aberdare, consistent with development plan policy. In terms of other

uses of a similar nature, it is not the function of the planning process to regulate competition as this is a function of the market.

In terms of the retail centre, the predominant use remains retail (A1) with a fairly high vacancy rate (around 15%) and it is not considered that this proposal, which is additional provision would alter the mix in an adverse manner.

The point regarding increased litter is acknowledged. This matter is dealt with as part of the Council's provision of commercial waste collection and street cleansing. Should this become an issue the Council has powers with which to resolve these issues.

It is acknowledged that the site does not provide any parking provision to serve the development. However, the site has been subject to a comprehensive assessment by the Council's Transportation Section who have concluded that parking provision is not required. This is due to the sustainable location of the site, within the town centre, close to amenities and alternative modes of transport. This is also consistent with other, larger residential schemes over commercial properties such as the nearby former Town Hall conversion, the Boot Hotel and the Black Lion.

The comments received from South Wales Police are acknowledged. The use of secured by design features are something that could be further explored by the developer during the Building Regulations element of the development. It is not considered appropriate to include any conditions of this nature given the potential conflict with the building's status as a Listed Building, although it is acknowledged that it is likely that a greater number of concessions would be allowed given the poor condition of the property.

Finally, the issue in relation to statutory protected species has been adequately addressed in the submitted Bat Survey Report and can be secured through the use of planning conditions.

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 application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable. Therefore no CIL would be payable.

Conclusion

The current application represents a rather sad position for any Listed Building to find itself in, particularly following the approval of a similarly invasive and strident application to re-develop the property over ten years ago.

It is evident that other than the removal of internal partitions and the rear extension, approved as part of the previous application, that very few positive works have been undertaken in relation to these properties.

The LBC application has already been assessed by Cadw who have confirmed that the Local Authority can determine the application in accordance with the report sent to them recommending approval. Consequently, the merits with regard to the impact on the heritage assets are considered to be acceptable in this case.

The planning merits of the proposal are also considered to be acceptable in that the proposal would preserve, enhance and restore this prominent Listed Building benefiting the building itself, its immediate locality, the wider street-scene including the Aberdare Conservation Area and the retail area of the Principal Town of Aberdare.

It is acknowledged that there are issues to be addressed with this proposal, however it is considered that these can be dealt with by appropriately worded conditions.

Consequently, it is considered that the proposal to convert these Listed properties would be acceptable, subject to the conditions 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 plan(s) no(s)

- Site location plan and existing survey, Plan No. TRB/2020/001
- Proposed Drawing – proposed floor plans, front, side (N) and rear elevations, Plan No. TRB/2020/002
- Proposed Drawing – proposed side (S) elevation, Plan No. TRB/2020/003

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. Notwithstanding the details on the approved plans, before work starts, the design and details of the following shall be submitted to and approved in writing by the Local Planning:

- Window repairs and replacements;
- rainwater goods;
- soffits and fascias;
- boundary treatments;
- chimney repairs;
- roof repairs; and
- a scheme for the retention and repair of the existing staircase

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

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

4. 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 buildings; in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

5. The use of the ground floor commercial premises shall be restricted to a café/coffee shop and for no other purpose; including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: In order to protect the amenity of neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. The use of the ground floor commercial premises shall be restricted to the following opening times:

Mondays to Saturdays	08.00 to 18.00
Sundays and Bank Holidays	10.00 to 16.00

Reason: To ensure that 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

7. 10 no. secure cycle stands shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any works starting on site. The cycle stands shall be installed in accordance with the approved details prior to beneficial occupation of any unit; and shall remain thereafter for the use of the residents of the 10 no. apartments.

Reason: In the interests of highway safety and to promote sustainable modes of transport with less reliance on the private motor, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the development hereby approved commencing an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. The report shall include any mitigation measures identified. If any mitigation measures are specified they shall be carried out and approved prior to beneficial occupation of any unit and shall remain thereafter.

Reason: To ensure that residents of the proposed residential units are not adversely affected by poor air quality in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Equipment such as extraction systems, discharge stacks and odour control systems etc. shall be installed to suppress and disperse fumes and smells produced by the preparation and cooking of food. All equipment shall be maintained and operated for as long as the premises operates as a food outlet. Details of the exhaust ventilation/intended exhaust ventilation equipment must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use of the ground floor premises as a food outlet.

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

10. Notwithstanding the approved plans, if there are inhabited premises in close proximity to the intended discharge point of the extraction system a noise impact assessment must be carried out by a competent person and must be submitted to and approved in writing by the Local Planning Authority prior to the installation of the extraction system.

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

11. Details of the system intended to prevent waste cooking oil, fats, grease and food debris entering the foul drainage system must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use of the ground floor premises as a food outlet. The system shall be operated for as long as the premises operates as a food outlet.

Reason: In the interest of health and safety and environmental amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan

12. Notwithstanding the approved plans, the package of ecological mitigation and enhancement measures (including repeat surveys) identified in section 6 - Recommendations of the Koru Ecology Associates survey report for the 'Former Rates Building, Aberdare' 2021 shall be implemented prior to beneficial occupation of any unit.

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