

PLANNING & DEVELOPMENT COMMITTEE

13 JANUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0773/10 (CA)
APPLICANT: Bexmoor Ltd
DEVELOPMENT: Retention of retail use at ground floor, change of use and re-development of upper floors of the property to provide 6 no. one bedroom residential flats and 1 no. two bedroom flat.
LOCATION: NEW LOOK, 58 CARDIFF STREET, ABERDARE, CF44 7DG
DATE REGISTERED: 02/06/2021
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: Approve

REASONS: The principle of the proposed development is considered acceptable in terms of both national and local planning policy and is compliant in terms of all other material planning considerations

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

The current application seeks planning permission for the restoration and refurbishment of the property retaining retail use on the ground floor and creating a total of 7no. flats, access to the flats is split between Cardiff Street and Bute Street.

The ground floor will be refurbished and reconfigured updating an upgrading the existing retail unit. The existing shopfront will remain and internally the floorspace will be reconfigured with a large trading area served by a lobby kitchen area and WC's. The remainder of the ground floor is given over to access to the flats on the upper floors from both Cardiff Street and Bute Street along with cycle storage areas.

The First floor will be reconfigured to provide three flats 1no. 2 bedroom unit served from the Cardiff Road frontage and 2 no. 1 bedroom units served from Bute Street. The central unit benefits from a light well on the south eastern side of the building where the external wall steps in providing a level of natural light to that unit. Bedrooms and bathrooms are separate from living and dining areas and rooms are of a generous size.

The second floor will be converted to provide 4no. 1 bedroom flats two served from Cardiff Street and two from Bute Street. Here again the two central flats will benefit from the light well. All units again have generous sized rooms and separate bedroom and bathroom facilities.

Externally the overall approach is towards appropriate repair rather than a complete overhaul. The roof will be repaired in matching tiles and the rendered walls window surrounds and cills will be repaired where necessary and repainted. The fascia will be repaired along with the existing wooden sash windows, wooden doors and windows, though the intention is to provide uPVC windows to the rear and courtyard elevations. New metal downpipes will be provided to the front and rear elevations

The application is accompanied by the following:

- Design and Access Statement:

SITE APPRAISAL

The application site comprises a well-established three storey retail property located at 58 Cardiff Street, Aberdare at the heart of the town centre. The property is currently vacant it was last used as a sweet shop and before that was a New Look clothing outlet

The property with the exception of the light well on its south eastern side fills its plot and has frontage and benefits from access on both Cardiff Street and Bute Street.

The property lies within the town centre and as such benefits from a highly sustainable location lying within walking distance of bus and railway services as well as local amenities including, the local sport centre, Aberdare Park and Dare Valley Country Park.

PLANNING HISTORY

13/0015 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign Approved 6th March 2013

02/1751 Fascia Sign Approved 27th January 2003

PUBLICITY

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

CONSULTATION

Transportation – No objections raised or conditions recommended.

Natural Resources Wales – no objection raised the proposals can be made acceptable, subject to the developer being made aware of the potential flood risks to these areas.

Flood Risk Management – From a flood risk perspective, the applicant has proposed a change of use which does not increase the footprint of the building and does not increase the impermeable area, as such we offer no comment.

Public Health & Protection – No objections subject to conditions

Ecology – No objections raised and advises the inclusion of a bat advisory note on any planning permission that might be issued

Waste Services – no response received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 – Advise that in the northern Strategy Area emphasis will be given to building strong, sustainable communities and promoting commercial development in locations which support the roles of principal towns and key settlements

Policy AW1 – sets out how the housing land requirements in Rhondda Cynon Taf will be met.

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 and requires development to have no unacceptable effect on the character and appearance of the site or surrounding area and no significant impact on the amenities of neighbouring occupiers. Proposals are also required to be accessible to the local and wider community by sustainable modes of transport, to have safe access to the highway network and to not cause traffic congestion or exacerbate existing traffic congestion

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, the street scene and have a high level of connectivity an accessibility.

Policy AW7 – provides support for developments that would preserve or enhance the character and appearance of the area

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

Policy AW11 – development proposals promoting alternative uses for retail units identified within defined retail centres will be permitted where the site is not identified by the allocating policies and the retention of retail sites for retail purposes has been fully explored without success by way of marketing for appropriate retail purposes, at reasonable market rates for a minimum of 12 months (continuous).

Policy NSA1 – relates to development in the principal town of Aberdare and sets criteria for the type of development that will be considered acceptable in the town.

Policy NSA10 – proposals for residential development in the Northern Strategy Area should achieve a minimum density of 30 dwellings per hectare.

Policy NSA12 – addresses housing development within settlement limits where it can be demonstrated that the proposal does not adversely affect the provision of car parking in the surrounding area and that the proposal is accessible to local services on foot, cycle or utilising a range of sustainable transport options.

Policy NSA13 – supports the rehabilitation and conversion of large buildings for residential purposes subject to criteria.

Policy NSA19 – sets out the criteria for new and improved retail facilities and other uses that are appropriate within the town centre that will be permitted in the retail centre of Aberdare.

Supplementary Planning Guidance

Design and Placemaking

Access Circulation and Parking

Development of Flats

Design in Town Centres

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 24th 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: *(or not in the case of refusals)*

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council land / Placemaking/developers/regeneration/sustainable communities'/exemplar developments.

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;
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 property in this instance is located within the retail centre of Aberdare which the Local Development Plan recognises as a principal retail centre. In addition, the property is also located within the Aberdare Conservation Area.

Policies CS1, NSA1, NSA12 and AW11 are all broadly supportive of the proposals with regard to the policy areas they address whether in respect of retailing or the creation of new residential accommodation through the renovation of an existing building. As such, the principal of the proposed development can be considered acceptable, though subject to an assessment of the criteria set out below and the consideration of policies that relate.

Impact on the character and appearance of the area

The application property is located within the Aberdare Conservation Area, occupying a prominent position on the south western side of Cardiff Street close to its junction with Victoria Square. Only minor external alterations are proposed to the front and rear elevations as described above. The existing shopfront will be retained to Cardiff Road whilst the access on Bute Street would be modified. Windows on the Bute Street frontage are currently metal casement windows so their replacement with uPVC would be something of an improvement and would also match many of the residential properties adjacent.

Consequently, it is considered that the proposed development would have a positive impact on the wider area in terms not only of the visual improvement that it would bring to the building and wider area but also in securing a long term future for the building with long term maintenance.

Impact on amenity and privacy

The property is located within the retail area of the principal town of Aberdare and whilst Cardiff Street is entirely commercial in nature, Bute Street at the rear elevation of the property is residential.

The changes proposed, other than improvements to the external appearance of the building described above, would take place within the existing building envelope. Consequently, the development would not create any overbearing or overshadowing impact to adjacent property beyond that which already exists.

The redevelopment would make use of existing window openings on Cardiff Street and Bute Street. There would be a degree of mutual overlooking created between the windows on the Bute Street elevation and those on the properties that sit opposite this though is considered acceptable in this instance as it reflects existing arrangements between residential properties on Bute Street.

The SPG relating to the development of flats provides support for proposals that do not result in the creation of undue nuisance arising from the intensity of the residential use that flats can create. It is not considered that the creation of the flats currently proposed within the property would result in undue nuisance to neighbouring properties.

The SPG also provides support for a high quality of accommodation and amenity for residents but does not stipulate a minimum floorspace, though in this instance the flats are relatively spacious. It is considered that adequate natural light and ventilation to the windows of habitable rooms could be delivered by the proposed development, though it must also be kept in mind that the flats in the central area which overlook the inner courtyard would have no outlook.

There is little in the way of shared amenities within the building beyond the cycle stores and shared access. The plans make no provision for bins and bin storage due to a lack of suitable space, in response to this the agent has indicated that the only realistic option is for bins to be collected weekly, likely in part by private contractor and for a refuse management plan be put in place via a planning condition.

In the round, the impact of the proposals on the amenity and privacy of neighbouring residents are considered acceptable. Some the flats will not benefit from any outlook of worth but this of itself is not considered sufficient reason to reject the planning application

Access and highway safety

The Councils Transportation Section have been consulted on the proposals and note that there are currently no off street car parking spaces for the existing or proposed use with the building taking up the full curtilage.

In terms of access, Cardiff Street and Bute Street are subject to various traffic restrictions/regulations that limit the potential for on street parking in particular. However, both Cardiff Street and Bute Street are proposed for primary access for the proposed residential use which is considered acceptable

The proposed retail use at ground floor requires up to a maximum of 3 parking spaces, the proposed residential use requires up to a maximum of 11 spaces with none provided

The Transportation Section express concern that the development does not provide any off street car parking space. However, and taking into account that the proposal is located in the centre of the Aberdare retail area, Zone 1 which offers a variety of local facilities, public transport, public car parks on balance the proposal is regarded as acceptable.

The storage areas provided for cycles are considered acceptable.

Taking the above into consideration the Transportation Section advise that, on balance, no highway objection to the proposed development be raised.

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.

Flooding

Members should note that both Natural Resources Wales and Flood Risk Management have commented on this issue and that given the nature of the intended use both regard the proposed development as acceptable

Ecology

Members are asked to note the comments from the ecologist above

Public Health & Protection

No Objections have been received from the Council's Public Health & Protection Division following consultation, although several conditions have been recommended should permission be granted. The conditions relate to hours of operation, construction noise, waste and dust. It is considered that matters relating to these issues can be more efficiently controlled by 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 application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable, therefore no CIL is payable

Conclusion

The site is located in a highly sustainable location with good access to a number of key local services and facilities as well as a range of sustainable transport options. Further, the proposed use of the site would be compatible with surrounding land uses.

It is considered the reuse of the building would provide for the long term maintenance of the building to the benefit and preservation of it and the wider Aberdare Conservation Area.

Whilst the proposal does not provide any off street car parking to serve the proposed development, the town centre location ensures that public transport, public car parks and local amenities are all within easy walking distance which results in less reliance on the private motor vehicle as the main mode of transport.

Notwithstanding that the proposed use would have some impact on the residential amenity and privacy of the occupants of nearby properties this lies within an acceptable range given the nature of the area.

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 following approved plans:

- Site location plan drawing no. 078-01
- Existing ground floor plan drawing no. 078-03
- Existing first floor plan drawing no. 07-04
- Existing second floor plan drawing no. 078-05
- Existing roof plan drawing no. 078-06
- Existing elevations drawing no. 078-07
- Existing Sections drawing no. 078-08
- Existing courtyard elevations drawing no. 078-09
- Proposed ground floor plan drawing no. 078-10
- Proposed first floor plan drawing no. 078-11 Rev 01
- Proposed second floor plan drawing no. 078-12
- Proposed roof plan drawing no. 078-13
- Proposed elevations drawing no. 078-14
- Proposed sections drawing no. 078-15
- Proposed courtyard elevations drawing no. 078-16 Rev 01

unless otherwise to be approved or 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 details of proposed external finishes to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the details 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 details submitted on the approved plans prior to the first occupation of any flat hereby approved the developer shall provide the Local Planning Authority with a refuse management plan to serve the proposed development including full details of refuse collection schedules to serve the

development. The agreed plan shall be adhered to at all times unless the Local Planning Authority gives written approval to any variation.

Reason: In the interests of amenity and to accord with policy AW5 of the Rhondda Cynon Taf Local Development Plan