

PLANNING & DEVELOPMENT COMMITTEE

7 JULY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0162/10 (JE)
APPLICANT: Ms H Fychan
DEVELOPMENT: Newid defnydd llawr gwaelod yr adeilad o adwerthu (dosbarth defnydd A1) i fod yn swyddfa etholaeth (dosbarth defnydd A2)/ Change the ground floor use of the building from retail (Use Class A1) to a constituency office (Use Class A2).

LOCATION: 2 HIGH STREET, PONTYPRIDD, CF37 1QJ
DATE REGISTERED: 21/02/2022
ELECTORAL DIVISION: Graig

RECOMMENDATION: APPROVE

REASONS: The use as a constituency office is acceptable within a town centre location and the nature of the specific use is such that it will attract increased visitors to the town centre which will add to its vitality and viability. Further, it is not considered the use has any undue impact upon the amenity or operation of the neighbouring properties, or upon highway safety in the vicinity of the site.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Retrospective planning permission is sought for the retention of a change of use from a retail store (Use Class A1) to a constituency office (Use Class A2) for the use of the Senedd Member for the South Wales Central Region. No external alterations have been undertaken or are proposed.

Whilst several signs have been erected at the unit details submitted with the application indicate that separate advertisement consent would not be required.

Members should not that whilst the application is retrospective, the change of use took place during the temporary relaxation period set out within the Town and Country Planning (General Permitted Development) (Amendment)(No.2) (Wales) Order 2021 which was implemented to support the reopening of businesses and to improve public confidence in the high street during the recent Covid 19 pandemic, and allowed such changes use for a temporary period.

SITE APPRAISAL

The application property is a two-storey, mid terrace commercial premises located on the main high street through Pontypridd town centre. The property is occupied by a constituency office on its ground floor (the subject of this application) which benefits from an existing shopfront and signage scheme, and a separate office above.

The property is located towards the southern end of Pontypridd town centre with the locality characterised by a wide mix of retail and other commercial uses.

PLANNING HISTORY

The most recent planning applications on record associated with the application site are:

13/0154/10: 2 HIGH STREET, PONTYPRIDD, CF37 1QJ

Change of use to ground floor and basement (existing office) to cafe/takeaway A3 and first floor (existing office) to residential (studio flat). Adjustment of existing shopfront to provide new single door as access to first floor.

Decision: 04/07/2013, Grant

PUBLICITY

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site.

No letters of objection have been received following consultation.

CONSULTATION

Transportation Section: No objection raised or conditions suggested.

Public Health and Protection: No objection raised although conditions suggested with regard to construction hours, noise, dust and waste.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, it has been reviewed and a replacement is in the process of being produced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LPD for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies within the settlement boundary for Pontypridd, is within the town's Retail Centre and also the Pontypridd Town Conservation Area.

Policy AW2 – supports development 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 placemaking, including landscaping.

Policy AW7 – states that development proposals which impact on sites of architectural/ or 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 – supports commercial development that reinforces the role of Pontypridd as a Principle Town; respects the culture and heritage of the town; is of a high standard of design and makes a positive contribution to the townscape; integrates positively with the existing built form; promotes retail, tourism and leisure opportunities and promotes accessibility to services by a range of sustainable modes of transport.

Policy SSA16 – defines Pontypridd as a Principle Town and supports retail developments which would maintain or enhance the centre's position within the retail hierarchy.

Supplementary Planning Guidance

- The Historic Built Environment
- Design in Town Centres
- Design and Placemaking
- 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) 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 all 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.

Given the minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Other national policy guidance considered:

PPW Technical Advice Note 12 - Design

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 relates to the change of use of this property to a constituency office for the South Wales Central Senedd Member. The property is located within the heart of the town's retail centre, therefore its use and operation are likely to bring in a significant number of visitors to the town centre which is comparable to a retail use. It is also likely that visitors to the premises will result in increased activity within the town centre which will add to its vitality and viability.

Further, given its town centre location, the property is in a highly sustainable location and is accessible by a range of transportation modes including walking, cycling, train and bus as well as by the private car. It is therefore compliant with Policies AW2 and AW5.

Finally, the nature of the use is considered acceptable for this town centre location, and the building retains the capacity to return to an A1 retail premises without the need for planning consent in future. As such, the principle of development is therefore acceptable subject to the criteria set out below.

Impact on the character and appearance of the area

The proposal has not involved any external alterations to the property and does not propose any. As such, the change of use has not detracted from the character or appearance of the area and is considered acceptable in this regard.

Impact on residential amenity and privacy

The site is located within a central retail area, with the majority of surrounding properties being occupied for commercial activities. It is not considered the change of use results in either an increase in the intensification of use of the site over the previous use, or results in a detriment to the amenity of any surrounding occupiers.

It is also noted that no letters of objection were received following the consultation process. Therefore, in terms of the impact on the amenity of neighbouring residents, the application is considered to be acceptable.

Impact on parking provision and highway safety

The Council's Transportation Section were notified during the consultation period in order to provide comments on the suitability of the application. Their comments are as follows:

Primary access to the constituency office is to remain from High Street – being a publicly maintained highway, High Street is considered adequate to serve as access to the proposed development.

The property is located in Parking Zone 1 with the previous retail use having a parking requirement of 1 off-street car parking space per 60sqm in accordance with the Council's SPG, Access, Circulation & Parking 2011 with none provided. The proposed A2 office space would have a similar requirement. Given the similar nature of the parking requirement between the previous and current uses as well as the sustainable location of the proposal, there are no concerns raised regarding the parking provision for the constituency office.

Taking the above into account, the application is considered acceptable in this regard.

Public health and protection

The Council's Public Health and Protection Division recommend that conditions regarding demolition, hours of construction, noise, dust and waste be appended to any subsequent approval. While these comments are appreciated, the change of use has already occurred and no further works are proposed. And in any case, these issues would be more efficiently controlled through other legislation available to the Council. As such the conditions are considered unnecessary.

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

The change of use has brought what was a vacant property in the town centre back into beneficial use, providing a small but important regeneration benefit. The property is also in a sustainable location with frequent bus services and ample opportunities for walking and cycling. As such, the proposal is compliant with national policy as well as the relevant policies of the Local Development Plan.

RECOMMENDATION: Grant

1. The development hereby approved shall be carried out in accordance with the approved plan numbers
 - Floor Plans
 - Location Plan

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