

## **PLANNING & DEVELOPMENT COMMITTEE**

**20 July 2023**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/0170/10 (JE)  
**APPLICANT:** Lee Fettah  
**DEVELOPMENT:** Conversion of shop and dwelling to 2 flats. (Amended Plans and Description received 09/05/2023)  
**LOCATION:** SHOP, 2 HIGH STREET, LLANTRISANT, PONTYCLUN, CF72 8BP  
**DATE REGISTERED:** 02/03/2023  
**ELECTORAL DIVISION:** Llantrisant and Talbot Green

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#### **RECOMMENDATION: APPROVE**

**REASONS:** The proposal is in-keeping with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and National Policy in that, the proposed residential use would be compatible with surrounding land uses and would have no impact upon the amenity of neighbouring occupiers or highway safety in the vicinity. In addition, the proposal would bring a prominent vacant property back into beneficial use which would result in a positive impact upon the character and appearance of the Llantrisant Town Conservation Area.

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

- Three letters of objection have been received.

#### **APPLICATION DETAILS**

Full planning permission is sought for the conversion of shop and dwelling to 2no. flats at 2 High Street, Llantrisant, Pontyclun.

Other than the removal of the existing shopfront and roller shutter doors located centrally at the properties front elevation and the creation of a new external wall and window to match the existing external finishes, the proposal would be facilitated through internal conversion of the property. The proposal would see the creation of 1 no. flat on each level each having a similar layout with 2no. bedrooms, lounge-kitchen and bathroom.

Each flat would benefit from direct access from the front of the property with both also benefitting from access to the rear amenity space.

Members are advised that following initial concerns with the original submission which proposed the conversion to 4no. flats along with the removal of the chimney stacks, the applicant submitted the revised proposal for 2no. flats with the chimney stacks retained.

## **SITE APPRAISAL**

The application site relates to a traditional semi detached property which has historically operated as a retail store and residential dwelling however appears to have been vacant for a number of years. The property is directly fronted by the highway along the B4595 with a narrow pedestrian footway along the site frontage. The site occupies a prominent location in close proximity to a junction at the entrance of Llantrisant Old Town. To the rear of the property is an area of amenity space which has been historically terraced with only a small passage on the level of the dwelling which is bounded by vegetated hillside which gives way to residential dwellings to the north. On its western side the property is attached to a traditional stone cottage known as 'Toll House Cottage' which benefits from Grade II listing. To the south of the site on the opposite side of the highway is Llantrisant Leisure Centre and its associated grounds.

Surrounding development consists of various property types and scales with a mix of modern and traditional dwellings within the vicinity.

## **PLANNING HISTORY**

There are no recent planning applications on record associated with this site.

## **PUBLICITY**

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

3no. letters of objection have been received from local residents and the Community Council following consultation. The points raised have been summarised below:

- Building is too small to squeeze 4 flats into it.
- No place for parking/off street parking and it is on a busy/dangerous corner.
- Building needs sympathetic restoration at this prominent, key location at the entrance to Llantrisant Conservation Area.
- The property is listed, and the scheme does not consider the constraints which come along with this designation.
- Property is known to have a spring running through at ground level which would require careful consideration.
- Impact of works upon traffic which could impact upon businesses in Llantrisant.

Members are advised that the above comments were received following the initial consultation period which related to the original submission for the conversion to 4no. flats. No revised or additional comments were received following the secondary consultation period which took place after the submission of the revised proposals.

## **CONSULTATION**

**Transportation Section:** No objection raised.

**Public Health and Protection:** No objection raised although conditions recommended in relation to hours of construction, noise, dust and waste.

**Flood Risk Management (Drainage):** No objection.

**Dwr Cymru/ Welsh Water:** No objection although condition recommended in relation to surface water drainage.

## **POLICY CONTEXT**

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

Members will be aware that the current LDP's lifespan was 2011 to 2021 and that 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 4<sup>th</sup> 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 4<sup>th</sup> January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24<sup>th</sup> 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 Llantrisant and is located within the Llantrisant Town Conservation Area.

**Policy CS2** – Sets out the criteria for development in the Southern Strategy Area.

**Policy AW1** – Sets out the criteria for new housing proposals.

**Policy AW2** – Supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptable conflict with surrounding uses.

**Policy AW5** – Sets out the criteria for new development in relation to amenity and accessibility.

**Policy AW6** – Requires development to involve a high quality design and make a positive contribution to placemaking, including landscaping.

**Policy AW7** - Development proposals which impact upon sites of architectural and / or historical merit and sites of archaeological importance will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

**Policy AW8** – Sets out the criteria for the protection and enhancement of the natural environment.

**Policy AW10** – Does not permit proposals where they could cause or result in a risk of unacceptable harm to health and/or amenity.

**Policy SSA13** – Identifies the criteria for assessment of development proposals within the settlement boundaries in the Southern Strategy Area.

#### Supplementary Planning Guidance

- Access, Circulation and Parking
- Design and Placemaking
- The Historic Built Environment
- Nature Conservation
- Development of Flats

#### 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

PPW Technical Advice Note 18 – Transport

PPW Technical Advice Note 24 - Historic Environment

## **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 a shop and dwelling into 2no. flats at 2 High Street, Llantrisant, Pontyclun. The proposal would see the reuse of an existing vacant property which is located within the settlement boundary and within an established residential area of Llantrisant.

The property is also located in close proximity to the local and neighbourhood centre of Llantrisant Old Town and the retail centre of Talbot Green. There is direct access to public transport links, with a bus stops located along the B4595 situated 22 metres to the south and additional bus connections located within close proximity. As such, the site is located within a sustainable location and is considered to comply with Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

Taking the above into account, the principle of development is therefore acceptable subject to the criteria set out below.

## **Standard of accommodation**

The Council's Supplementary Planning Guidance (SPG) for the Development of Flats – Conversions and New Build advises that flats are unlikely to be acceptable where they are located solely in basements, or where habitable rooms would only have roof light windows. It also requires flats to have easy and safe access for all users and advises that access through rear lanes and entrances around the backs of buildings should be avoided wherever possible. It also advises that the Council resist proposals that would create poor quality living accommodation and schemes should be refused for the above mentioned reasons.

In this instance the flats are of an acceptable size and each habitable room would have at least one window. Access is well overlooked and can be made from the surrounding pavements and roads and the property would benefit from acceptable bin and cycle storage locations. In addition, the proposed flats would benefit from an area of shared amenity space and would be located close to nearby public open space that is easily accessible from the property. As such, the proposal is considered to meet the requirements set out in the SPG

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

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

The removal of the roller shutter door and existing shopfront and the installation of a new external window is considered to result in a positive impact upon the character and appearance of the property. In addition, the reuse and renovation of the property is likely to have a positive impact upon the external appearance of the site which is currently vacant and in need of general care and repair. Consequently, the proposed works are considered to have a beneficial impact upon the character and appearance of the area surrounding the site and would preserve and enhance the character of the Llantrisant Town Conservation Area given the highly prominent location of the site on the entrance to the town.

It is also noted that the proposal does it involve any construction work to increase the footprint or height of the property. As such, it is considered that the proposals will not detract from the character or appearance of the area and are considered acceptable in this regard.

Members are advised that as the property is attached to a listed building, it is also important to consider the impact of the proposal upon the listed building. Given the nature of the works proposed, it is considered that the proposed development would have no undue impact upon the listed property. Also as set out above the proposal would result in a positive impact upon the character and appearance of the area surrounding site which results in a beneficial impact upon the setting of the listed building.

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

The proposed conversion would not involve any extensions or physical alterations other than the removal of the existing shopfront and roller shutter. As such, it is not considered that it would have any additional overbearing, overshadowing or overlooking impact on the nearest residential properties.

With regard to the proposed use of the building, it is not considered that this would result in any detrimental impact to the existing amenity standards currently enjoyed by residents of the surrounding properties. Whilst it is accepted a degree of noise/disturbance would inevitably occur, any potential impact would be typical of such a residential use and is considered a betterment to the previous commercial use.

Taking the above into account, the proposal is not considered to significantly impact upon the privacy and amenity standards currently enjoyed by neighbouring occupiers and is considered acceptable in this regard.

## **Highway Safety**

The Council's Transportation Section were notified during the consultation period in order to assess the impact of the proposed development upon highway safety and parking provision. The following comments were received:

### Access

The application property is located along the B4595 (High Street) with access for pedestrians via a narrow sub-standard section of footway (1m wide) that fronts the site and does not extend beyond towards the direction of Llantrisant. A continuous footway is available on the opposite side of the carriageway that provides safe and satisfactory pedestrian access to and from Llantrisant.

There is no vehicular access to the site and there is no parking area available within the curtilage of the site.

Traffic management is in place in the vicinity of the site that restricts on-street parking from taking place between the hours of 08:00am – 18:00pm with a prohibition of parking southwards along the northern boundary of Cross Inn Road from its junction with the B4595 High Street towards the mini roundabout junction of Cross Inn Road with Cardiff Road. The B4595 High Street forms part of a bus route with bus stops in close proximity of the site on the B4595 Talbot Road.

### Parking

In accordance with the SPG Access, Circulation & Parking 2011 the existing 4 bed dwelling requires up-to a maximum of 3 spaces with the retail shop requiring 1 off-street car parking space and 1 commercial space taking the total required to 4 car parking spaces and 1 commercial space, with none provided. It is also noted that the

retail shop would have generated short term indiscriminate on street car parking by customers visiting the shop for short durations.

The proposed conversion to 2 x 2 bed apartments requires up-to a maximum of 4 resident car parking spaces accordance with the SPG Flats 2015, with none provided.

### Conclusion

There is concern that the proposed development does not provide for any off-street car parking facilities. However, taking into account there is no possibility of providing off-street car parking within the curtilage, the off-street car parking requirement is similar to the existing use, the car parking restrictions in place protecting the B4595 fronting the site and Cross Inn Road where there is no on-street car parking available, and with residents of flats / apartments less likely to own a private vehicle, on-balance, the proposed is considered acceptable.

### **Ecology**

Following the submission of revised plans showing that the chimney stacks at the property would be retained and confirmation from the applicant that the proposal would see no works to the loft or roof of the property, no objection to the proposal was raised by the Council's Ecologist. However, a standard condition is suggested in respect of providing biodiversity enhancement measures at the site.

### **Public Health and Protection**

The Council's Public Health and Protection Division have raised no objection to the proposal, however a number of conditions have been suggested in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that these issues can be more effectively controlled by other legislation and the suggested conditions are therefore not necessary. An appropriate informative note would be sufficient

### **Drainage**

As the scheme does not propose any construction works that will result in a change in the structure's external footprint. It is not considered that the surface water condition requested by Welsh Water is reasonable or necessary in this instance.

### **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. The application lies within Zone 3 of Rhondda Cynon



Taf's Residential Charging Zones, where there is a liability of £85 / sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL (including indexation) for this development is expected to be £19080.54.

## **Conclusion**

The principle of development at the site is considered acceptable. Furthermore, the proposal is considered acceptable with regard to its impact upon the character and appearance of the area, the residential amenities of surrounding neighbours and highway safety within the vicinity of the site. As such, the application is considered to generally comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

## **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

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 numbers

- Plan No. CYA6/3/a
- Plan No. CYA6/4/a
- Plan No. CYA6/7/a

and documents received by the Local Planning Authority on 09/05/2023, 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. No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

4. No Development shall take place until a scheme for biodiversity enhancement has been submitted to and agreed in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

Reason: To ensure a positive impact upon biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

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