

PLANNING & DEVELOPMENT COMMITTEE

14 December 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/1279/10 (GRD)
APPLICANT: C/O DPS Architecture Ltd
DEVELOPMENT: Conversion of a former public house into apartments
LOCATION: FULL MOON HOTEL, CARDIFF ROAD, ABERAMAN,
ABERDARE, CF44 7HH
DATE REGISTERED: 02/10/2023
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS.

REASON: The development would result in the beneficial re-use of a vacant and increasingly derelict building in a highly sustainable location. The proposed flats would provide a welcome contribution towards the local housing supply and result in a considerable improvement to the appearance of the property and street scene.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning consent is sought to convert the former Full Moon Hotel at Cardiff Road, Aberaman to provide 7 self-contained flats.

The accommodation would be arranged over all three floors of the building to include the following:

Ground Floor: 4 no. one-bedroom flats

First Floor: 1 no. two-bedroom flat and 1 no. one-bedroom flat

Second Floor: 1 no. two-bedroom flat

The main entrance and access to each ground floor flat would be from the front of the property, opening on to Cardiff Road. Entrances to the first and second floor flats would

be from the rear of the building, which would open onto the rear courtyard and parking spaces associated with the building, with access gained from Wind Street.

The submitted plans show some demolition works at the site which form part of the proposal. This includes a single-storey rear extension, which has since been demolished prior to determining this planning application, along with the removal of an outbuilding at the site.

External works include the construction of two rear extensions. The larger of the two extensions would extend approx. 2.7m from the rear of the building and would measure a width of approx. 2.7m in width. The extension would have a mono-pitch roof and would measure approx. 5.1m in height to the eaves and 7.2m to ridge. The second rear extension would be smaller, and would extend approx. 2.6m in depth, 2.7m in width and reaching a height of approx. 3.3m to the eaves and 5.2m to ridge. Both rear extensions would provide access and facilitate the construction of internal staircases to access the first and second floor flats. The extensions would have side facing doors and rear facing windows.

Other external alterations include the installation of windows to the building's southern side-facing elevation and western rear facing elevation.

Works within the wider site include the provision of 5no. car parking spaces, along with bin and bike storage provided within a yard to the rear of the building. New hedging or planting is also proposed outside ground floor windows to the front and rear of the building.

In addition to the plans and elevation drawings accompanying the application, the following supporting documents have been submitted:

- Preliminary Roost Assessment
- Bat and Nesting Bird Survey Report
- Design & Access Statement

SITE APPRAISAL

The application property is a former public house and hotel, which is located along Cardiff Road in Aberaman. The site has been vacant for some time and appears to be in a state of some dereliction.

The three-storey building occupies a relatively prominent position along Cardiff Road at the junction with Wind Street. The building's principal elevation and main entrance is sited immediately adjacent and faces Cardiff Road to the east. The site is bound to

the south and west by Wind Street. A neighbouring property is sited to the immediate north of the application site.

Whilst the submitted plans show a site which is largely comprised by the footprint of the building, rear extensions have since been demolished and the rear of the site is now vacant hardstanding.

The surrounding properties are primarily residential, with some commercial uses in proximity to the application site.

PLANNING HISTORY

13/0400/10: FULL MOON HOTEL, CARDIFF ROAD, ABERAMAN, ABERDARE, CF44 7HH. *'Alterations and change of use from existing public house with guest rooms and living quarters to 9 no. apartments (Amended parking layout received 05/09/13)'*. Granted, 19/09/2013

PUBLICITY

The application has been advertised by direct notification letter to neighbouring properties and by site notice, posted near the application site. Two letters of concern were received from third parties:

- Happy that works are being undertaken at the 'unsightly' site;
- Highway Safety – parking issues;
- There are car parking issues in the area already, in particular for houses to the rear of the application site;
- Concern with the design of the parking spaces, with concerns over cars reversing from the spaces;
- Concerns with the safety of some of the car parking spaces, in particular the two opening onto Wind Street;
- Existing congestion in the street;
- Suggests that a grassed area opposite the development site is used for car parking, to help alleviate local parking problems.

Correspondence was also received from Cllr Victoria Dunn, who noted that they were supportive of 1-2 bedroom flats in the area.

CONSULTATION

Local Highway Authority

No Objection, subject to conditions. Advisory notes recommended.

Flood Risk Management

No objection, subject to conditions. Advisory notes recommended.

Public Health and Protection

No objection, subject to condition. Advisory notes recommended.

South Wales Police

No adverse comments received.

South Wales Fire and Rescue Service

No objection. Advisory notes recommended.

Waste Services

No objections.

Dwr Cymru/ Welsh Water

No objection, subject to condition. Advisory notes recommended.

Council's Ecologists

No objection subject to condition.

Natural Resources Wales

No objection. Advisory notes recommended.

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 is in the process of being reviewed. 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 LDP 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 is located within the defined settlement boundary and is unallocated for any specific purpose. The following policies are relevant in the consideration of this application:

Policy CS1 – Development in the North: outlines how the emphasis on building strong, sustainable communities will be achieved in the Northern Strategy Area.

Policy AW1 – Supply of Housing: focuses on the delivery of new housing and includes the development of unallocated land inside the settlement boundary.

Policy AW2 – Sustainable Locations: supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

Policy AW5 – New Development: sets out criteria for new development in relation to amenity and accessibility.

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

Policy AW 8 – Protection and Enhancement of the Natural Environment: outlines how Rhondda Cynon Taf's distinctive natural heritage will be preserved and enhanced by protecting it from inappropriate development

Policy AW10 – Environmental Protection and Public Health: does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy AW11 – Existing Employment and Retail Uses: Outlines criteria for assessing development proposals promoting alternative uses for employment and retail sites.

Policy NSA1 - Development in the Principal Town of Aberdare: sets out criteria for new development within Aberdare

Policy NSA2 – Development in key Settlements: Sets out criteria for new development within key settlements.

Policy NSA10 – Housing Density: Outlines the housing density required of proposals in the Northern Strategy Area.

Policy NSA12 – Housing Development Within and Adjacent to Settlement Boundaries: sets out criteria for the consideration of development proposals within and adjacent to settlement boundaries within the Northern Strategy Area.

Policy NSA13 – Rehabilitation/ Conversion of Large Buildings: The conversion of large buildings within the Northern Strategy Area will be permitted where there is no economically viable alternative use for the building.

Supplementary Planning Guidance:

Design and Placemaking

Access Circulation and Parking

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) 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.

Other policy guidance considered:

PPW Technical Advice Note 5 – Nature Conservation and Planning

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 18 - Transport

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

Residential Development on unallocated land within the settlement boundary is supported by LDP Policy AW1, which also includes the conservation of suitable structures to provide housing.

The site is located within a predominantly residential area, and within settlement boundary limits and has good access to a range of shops and services, being within walking distance of the commercial centre of Aberdare. There is also good access to sustainable transport, with the property being located on a bus route. Consequently, this site would be considered a sustainable location and accords with the relevant criteria of Policy AW2.

Currently, the building is in a poor state of repair and does not make a positive contribution to the surrounding streetscape. The development proposal would resolve the evident dereliction by regenerating and making beneficial re-use of the site, which would be supported by Policies CS1, NSA13 and AW11 of the LDP. Whilst Policies NSA13 and AW11 usually require evidence to demonstrate that there are no other viable commercial uses for the site, it is considered unnecessary in this instance given the length of time that the building has been vacant. Furthermore, the Local Planning Authority granted permission for the conversion of the building to 9no. residential units in 2013 (planning ref: 13/0400/10), thus further establishing the acceptability of converting the vacant building to residential use.

The proposal would see the beneficial re-use of a building and the provision of housing in a sustainable location within settlement boundary limits. As such, the principle of development is considered acceptable. However, proposals for residential development may only be considered acceptable, providing no adverse impacts result in terms of amenity, character, and highway safety. These matters will be considered in detail in the following sections.

Quality of Accommodation

New flats should provide an acceptable quality of accommodation for residents. It is considered that the proposed flats are of a suitable size to provide space for future occupants, and the internal layouts proposed are considered acceptable. A reasonable level of outlook and natural daylight would also be provided to each flat.

The application represents the conversion of an existing building, and due to site constraints, along with areas provided at the site for car parking, refuse and bike storage, residents would not be provided with access to either a private or communal outdoor space. However, the development site is located in a sustainable location and within walking distance of accessible open spaces which is considered acceptable to compensate for a lack of outdoor space provided at the application site itself.

Impact on the character and appearance of the area

Large parts of the conversion will be undertaken within the fabric of the existing building, and the external works proposed are relatively minor.

Two extensions are proposed to the rear of the building which are subservient in height and scale to the application property. The extensions are considered acceptable in terms of design and would not harm the character or appearance of the site.

Furthermore, rear flat roofed rear extensions have since been demolished at the site and an existing outbuilding will also be removed. Consequently, the proposed refurbishment of the property and removal of extensions/ outbuildings which are in a poor state of repair would bring about an improvement visually at the site.

The development would represent an improvement to the appearance of the building as a whole and would be a positive enhancement on the street scene.

Impact on residential amenity and privacy

Most of the conversion would be undertaken within the fabric of the existing building, and as such, the outlook gained from the application property would remain largely as existing. Two small extensions are proposed, along with the installation of new windows. However, these openings would face the public highway or would face the rear of the site and would not overlook neighbouring properties.

The extensions are also subservient in scale to the application property and would be set at a sufficient distance away from other existing neighbouring dwellings as not to harm the amenities of neighbouring occupiers through overshadowing or by ways of overbearing.

Overall, the conversion and refurbishment of the building, along with the demolition of rear extensions and outbuildings would constitute an improvement to the fabric of the property and its curtilage.

It is not considered that the development would cause detriment to the amenity and privacy of neighbouring occupiers.

Highway Safety

Consultation was undertaken with the Local Highway Authority, who have assessed the proposal to determine whether the proposal would have an adverse impact upon highway safety in the vicinity of the site.

Site Location:

The application site is located on Cardiff Road (B4275), Aberaman on the outskirts of Aberdare Town Centre which offers a variety of businesses and good public transport facilities. There are bus stops a short walk from the proposed development, located on Cardiff Road.

Cardiff Road (B4275) to the east of the site has no parking restrictions on both carriageway lanes; however, residents of Cardiff Road park on the opposite side to the application site. Wind Street to the rear has parking restrictions on both sides of the carriageway to prevent indiscriminate on-street parking near road junctions.

Access:

The proposed parking would be accessed off Wind Street; however, no details of vehicle crossover/ tie in with the existing carriageway have been submitted. Therefore, the Local Highway Authority have suggested a condition accordingly.

There is also a BT box fronting the proposed off-street parking. An advisory note will therefore be attached to any consent outlining the relocation/ removal of the BT box shall be undertaken with the approval of the relevant statutory undertaker.

Parking:

The existing public house, which is currently vacant, requires in the region of 36 off-street car parking spaces for the bar and servery, 7 spaces for the guest room and 3 for staff in accordance with the SPG Access, Circulation & Parking 2011 with none provided leaving a shortfall of 46 off-street car parking spaces.

The Local Highway Authority consider that given the lack of off-street car parking facilities, and traffic regulation orders in place preventing on-street car parking taking place, that the majority of patrons of the public house would have travelled on foot or by public transport.

The proposed conversion into 5 no 1-bedroom flats and 2 no 2-bedroom flats have a parking requirement of 9 spaces for residents and 1 visitor space in accordance with SPG: Development of Flats – Conversions and New Build 2015 with 5 provided, resulting in a shortfall of 5 spaces which raises some concern.

5 units will therefore have 1 space per unit, with 2 no residential units having no off-street car parking provision.

Cycle Storage

The applicant proposes space for cycle storage; however, no details of the proposed number of storage stands have been submitted. Therefore, a condition has been suggested for 2 cycle stands to be provided in accordance with SPG: Access, Circulation & Parking Requirements 2011 to promote sustainable modes of transport.

Street Nameplate:

There is a street nameplate which will require re-locating as part of the works. An advisory note is therefore recommended advising that the street nameplate affected by the proposed access will need to be relocated in a position to be agreed by the Local Highway Authority.

Drainage:

There is concern that water run-off from the proposed parking to the rear may discharge onto the highway therefore, a condition has been suggested accordingly.

Highways Conclusion:

The Local Highway Authority have raised some concerns that the proposal would result in a shortfall of 4 no. residential car parking spaces. However, additional off-street parking has been provided at the site, with limited scope to provide additional parking due to site constraints. Additionally, the application site is a sustainable location near Aberdare Town Centre and has good access to sustainable modes of transport. Furthermore, it is considered that the previous use of the site as a public house would have generated some on-street parking, albeit for shorter periods. On balance, the Local Highway Authority have raised no objection to the proposal, subject to conditions and advisory notes.

Ecology

The application has been supported by both a 'Preliminary Roost Assessment' and a 'Bat and Nesting Bird Survey Report'. The survey results showed that no signs of bats were found during the internal and external inspection of the building. The dusk emergence surveys however confirmed that a small soprano pipistrelle day roost is present at the building. A soprano pipistrelle day roost is present, with a maximum count of one individual using one access point. The report note that the site is considered to be within a low-quality area for foraging and commuting bats. One jackdaw was also recorded as nesting within the eastern front of the building. The reports also contain several mitigation and compensation of the impacts of the development.

Following consultation with Natural Resources Wales (NRW), no objections have been raised. NRW have noted that on the basis of the submitted reports that they do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. NRW have therefore no objections to the proposal but have requested that an informative note is attached to any planning permission noting that a European Protected Species (EPS) Licence is required for the development.

The Council's ecologists have also raised no objection to the proposal following consultation and consider that the bat usage at the site is such that it is likely effective mitigation can be achieved and as a European Protected Species (EPS) Licence

would be required for the development. The Council's ecologists have recommended that details of mitigation and enhancement measures outlined within the submitted 'Bat and Nesting Bird Survey Report' be attached as a condition to any planning permission.

Overall, no objections have been received by the Council's ecologists or NRW to the proposal and the proposal is considered compliant with Policies AW8 and NSA3 of the LDP.

Drainage

Natural Resources Wales' Surface Water Flood Risk maps have been used to review the site's surface water flood risk, as per Paragraph 8 of Tan 15. The review concluded that there are areas of medium and low surface water flood risk identified surrounding the perimeter of the site. This is associated with a surface water conveyance route associated with an unnamed ordinary watercourse to the southwest of the site which flows adjacent to Maesyffynon Lane. The Council's Flood Risk Management section have also noted that during Storm Dennis in February 2020, several residential properties situated along Cardiff Road and Wind Street were internally flooded as a result of the inlet adjacent to Maesyffynon Lane surcharging. Consequently, the Flood Risk Management Section have recommended a condition be attached to any planning consent outlining how the development is to take into account the local surface water flood risk along with a strategy to ensure the structure is resilient.

To ensure surface water is appropriately managed and given the high surface water flood risk identified at the application site, the Flood Risk Management section have recommended a condition be attached which requires the developer to provide information as to how surface water will be managed and disposed of at the site.

The Council's Flood Risk Management Section have noted that under Schedule 3 of the Flood and Water Management Act 2010, the applicant may be required to submit an application to the Sustainable Drainage Systems (SuDS) Approval Body (SAB).

Welsh Water have also requested a condition be attached requiring that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. However, the works would be undertaken largely within the fabric of the existing building and the external works proposed are relatively minor, and as such, the condition would not be considered necessary. Additionally, as noted above, a condition will be attached which requires the development to provide information as to how surface water would be managed and disposed of at the site.

The proposal is considered compliant with Policy AW10 of the LDP in terms of drainage and flood risk.

Other Matters

Public Health & Protection:

The Council's Public Health and Protection Department have commented on the development in relation to the demolition of buildings, noise, dust, disposal of waste and lighting and have recommended advisory notes to advise the developer of their responsibility when undertaking construction works, along with the role of the Council's Public Health and Protection Department in relation to construction works, and specifically noise, dust, waste and lighting. The Public Health and Protection Department also consider that as a large development, the works could have an impact on local residents, in particular during demolition/ construction. As such, they have recommended a condition where the developer should submit proposals for the minimisation of noise and dust on the site prior to commencement of development along with details of a demolition/ construction programme. However, these issues would be considered to be most appropriately dealt with under other legislation, and as such, are therefore recommended as advisory notes to this planning consent.

The Public Health and Protection Department have also included advisory notes in terms of housing and licencing for the proposed residential units.

Following consultation, the Council's Waste Services Department have raised no objections to the proposal and have no objections to the refuse storage proposals shown on the plans. They have further noted that kerbside collection would be available for future occupiers of the flats.

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 payable.

Conclusion

The development would result in the beneficial re-use of a vacant and increasingly derelict building in a highly sustainable location. The proposed flats would provide a welcome contribution towards the local housing supply and result in a considerable improvement to the appearance of the property and street scene.

RECOMMENDATION: APPROVE SUBJECT TO THE FOLLOWING 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(s) no(s)

- Planning – A3 – OS Maps – Existing and Proposed. Drawing Number 675-100. Revision C
- Planning – A3 – Proposed Site Plan. Drawing Number 675-110. Revision C
- Planning – A2 – Existing GA Plans – Page 2. Drawing Number 675-211. Revision C
- Planning – A2 – Existing GA Elevations – Page 1. Drawing Number 675-212. Revision C
- Planning – A2 – Existing GA Elevations – Page 2. Drawing Number 675-213. Revision C
- Planning – A3 – Existing GA Plans – AFTER DEMO. Drawing Number 675-215. Revision C
- Planning – A2 – Existing GA Elevations AFTER DEMO. Drawing Number: 675-216. Revision C
- Planning – A2 – Proposed GA Plans – Page 1. Drawing Number 675-250. Revision C
- Planning – A2 – Proposed GA Plans – Page 2. Drawing Number 675-251. Revision C
- Planning – A2 – Proposed GA Elevations – Page 1. Drawing Number 675-252. Revision C
- Planning – A2 – Proposed GA Elevations – Page 2. Drawing Number 675-253. Revision C

and documents received by the Local Planning Authority on 31/10/2022, 16/11/2022, 06/01/2023, 03/05/2023 and 02/10/2023 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. Building operations shall not be commenced until samples/brochure details of the type and colour of windows, doors, roof tiles and external materials

proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all windows, doors and materials used shall conform to the sample(s)/ 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. The development shall not be brought into use until space has been laid out within the site for 5 vehicles to be parked in accordance with the submitted drawing No. "675-110". The spaces shall be constructed in permanent materials and retained for the parking of vehicles thereafter.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development on site commencing.

Reason: In the interests of highway and pedestrian safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted plans the development shall not be brought into use until space has been laid out within the site for 2 cycle stands in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to development commencing.

Reason: To promote sustainable modes of transport, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. Surface water run-off from the proposed development shall not discharge onto the public highway or connected to any highway drainage system.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding, in accordance with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. The development shall not be occupied until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall commence until the applicant submits details to the Local Planning Authority to evidence how the development is to take into account the local surface water flood risk and outlines a strategy to ensure the structure is resilient.

Reason: To ensure the development does not increase the number of residents at risk of surface water flooding, in accordance with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

11. Notwithstanding the approved plans, development shall be carried out in accordance with the recommendations, mitigation, enhancements and required actions set out in Section 6 'Required Actions' of the Bat and Nesting Bird Survey Report (September 2023), undertaken by Acer Ecology.

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