

PLANNING & DEVELOPMENT COMMITTEE

25 April 2024

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0719/10 (GRD)
APPLICANT: Mr Sohail
DEVELOPMENT: Renovation of an existing Commercial fire-damaged building into 6 apartments and 2 smaller Commercial spaces
LOCATION: 4-5 MARKET STREET, ABERDARE, CF44 7DY
DATE REGISTERED: 07/07/2023
ELECTORAL DIVISION: Aberdare East

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS.

REASON: The development would result in the beneficial re-use of a derelict and fire damaged building in a highly sustainable location and would result in a considerable improvement to the appearance of the property and street scene. The proposed flats would also provide a welcome contribution to the local housing supply and additional commercial units within the Town Centre would aid in regeneration ambitions within the town.

Whilst the application proposes highly vulnerable development within an identified Flood Zone, the Flood Consequences Assessment (FCA) submitted nonetheless demonstrates that the risks and consequences of flooding could be managed to an acceptable level and Natural Resources Wales have offered no objection to the proposal.

Furthermore, it is not considered that the development would significantly impact upon the amenities of neighbouring occupiers, nor would it have any adverse impact 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:

Full planning consent is sought to convert an existing commercial fire-damaged building into 6no. apartments and 2no. commercial units.

The Commercial units would be provided to the ground floor and would be accessed from and would face Market Street. The commercial units are proposed as being either A1, A2 or A3 use.

The residential units would be arranged over all three floors of the building, to include the following:

Ground Floor: 2no. one-bedrooms flats

First Floor and Second Floor: 2no. two-bedrooms flats and 2no. one-bedroom flats.

The converted building would also provide a bike/ bin store to ground floor. External alterations include the restoration of the fire damaged building along with the installation of doorways and windows at the building. 4no. dormers are also proposed to the rear of the building.

The main entrance and access to each commercial unit and each residential flat would be from the front of the property, opening on to Market Street. Access to the residential units will also be provided from the rear of the building.

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

- Bat and Bird Scoping Survey
- Flood Consequences Assessment

SITE APPRAISAL:

The application property refers to a two-storey terraced property, which is located within the Town Centre of Aberdare. The building suffered substantial fire damage in 2019 and is currently in a state of some dereliction. Previously the ground floor of the property was occupied by 'Premier' commercial store.

The building's footprint occupies the entire plot, and the property consists of a two-storey building fronting onto Market Street to the south-east, a central flat-roofed single storey element and a rear two-storey building towards the rear which faces an enclosed car park to the rear of the site.

The application site is located within the identified town centre of Aberdare and within the town's retail centre. The site is also within Aberdare Town Centre Conservation Area.

Market Street and the surrounding area has a mix of uses, with both commercial and residential uses in proximity to the application site.

PLANNING HISTORY:

14/1080/10: 4-5 MARKET STREET, ABERDARE, CF44 7DY. *'Replacement shop front, re-rendering of front elevation, new hardwood sliding sash windows and re-rendering of chimney'*. Granted, 18/11/2014

10/0979/10: 4-5 MARKET STREET, ABERDARE, CF44 7DY: *'Replacement shop front'*. Granted, 28/01/2011

The application site is also sited adjacent to, and the application property is tied to the neighbouring Boot Hotel, with the planning history of relevance outlined below:

18/0281/12: THE BOOT HOTEL, VICTORIA SQUARE, ABERDARE, CF44 7LB: *'Refurbishment and conversion of the Boot Hotel, Aberdare, including change of use of the upper floors to residential use to provide 12 units, and creation of a single ground floor retail unit, and associated internal and external alterations (including part demolition on rear elevation/out buildings) increase in height of rear courtyard building by up to 2 metres in height. (Listed Building Consent)'*. Granted, 24/10/2018

18/0203/15: THE BOOT HOTEL, VICTORIA SQUARE, ABERDARE, CF44 7LB: *'Removal/Variation of Conditions 2 (Approved Plans) & 3 (Materials) of previously approved application 16/0878/10'*. Granted, 24/10/2018

16/0878/10: BOOT HOTEL, VICTORIA SQUARE, ABERDARE, CF44 7LB: *'Change of use of the upper floors to residential use to provide 12 units, and a single ground floor retail unit with associated internal and external alterations'*. Granted, 23/11/2016

14/1170/12: BOOT HOTEL, VICTORIA SQUARE, ABERDARE, CF44 7LB: External works and fire escapes. Granted, 06/01/2015

14/0880/12: BOOT HOTEL, VICTORIA SQUARE, ABERDARE, CF44 7LB: *'Refurbishment, alterations and reinstatement of lost details to the Boot Hotel (Listed Building Consent)'*. Granted, 16/09/2014

14/0879/10: BOOT HOTEL, VICTORIA SQUARE, ABERDARE, CF44 7LB: *'Refurbishment, alterations and reinstatement of lost details to the Boot Hotel'*. Granted, 18/09/2014

06/1276/10: BOOT HOTEL, VICTORIA SQUARE, ABERDARE: *'Re-furbishment of the Boot Hotel to include the part demolition of existing two storey rear extension, erection of a single storey flat roof rear extension and sub-division of internal layout to form two units to include a part change of use to A1. Amended front elevation plans received'*. Granted, 21/02/2007

PUBLICITY:

The application has been advertised by direct notification letter to neighbouring properties by site notice, posted near the application site and by press notice. Seven letters of support have been received by third parties, with comments received summarised below:

- The building is currently in bad shape and hazardous and currently impacts the street, area and town;
- Supportive of residential units and commercial units at the site;
- The site is in a good location for new businesses;
- Consider that the development is a good use of the building;
- Consider that the proposal would bring some “much needed life into the town centre”;
- The flats are of a good size giving plenty of light to future occupiers;
- The retail units are of an appropriate scale;
- Will add potential income to local businesses with new residents;

CONSULTATION:

Local Highway Authority

No objections. Advisory notes recommended.

Natural Resources Wales

No objections, subject to condition. Advisory notes recommended.

Flood Risk Management

No objections.

Public Health and Protection

No objections, subject to conditions. Advisory notes recommended.

South Wales Fire and Rescue Service

No objections. Advisory notes recommended.

Dwr Cymru/ Welsh Water

No objection, subject to conditions. Advisory notes recommended.

National Grid (Gas)

No Objections.

Council's Ecologists

No objections, subject to conditions. Advisory notes recommended.

CADW

No Comments Received.

Royal Commission for Ancient and Historic Monuments

No Comments Received.

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, within Aberdare Town Centre and within Aberdare Town's Conservation Area. The application site 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 AW7 – Protection and Enhancement of the Built Environment: Outlines that development proposal which impact upon sites of architectural merit should preserve or enhance the character and appearance of the site.

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 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 subject to a number of criteria.

Supplementary Planning Guidance:

Design and Placemaking

The Historic built Environment

Design in Town Centres

Access Circulation and Parking

Nature Conservation

Development of Flats

Shopfront Design

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 12 (PPW) was issued in February 2024 with Future Wales: The National Plan 2040 (FW2040) issued in 2021. 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 4 – Retail and Commercial Development

PPW Technical Advice Note 5 – Nature Conservation and Planning

PPW Technical Advice Note 11 – Noise

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 15 – Development and Flood Risk

PPW Technical Advice Note 18 – Transport

PPW Technical Advice Note 23 – Economic Development

PPW Technical Advice Note 24 – The 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:

Residential development on unallocated land within the settlement boundary is supported by LDP Policy AW1. The site is located within a mixed-use area, with both commercial and residential uses in proximity to the site. The site is located within the main commercial centre and within the defined Town Centre of Aberdare and is therefore within walking distance of a range of shops and services. The site also has good access to sustainable transport options and is within walking distance of train stations and Aberdare bus station. Consequently, the site is in a very sustainable location and the provision of residential units at this site accords with the relevant criteria of Policy AW2 in this respect.

Concerning the commercial units to ground floor, which are proposed as being available for A1, A2 or A3 use. The Ground floor was last utilised as an A1 Retail store and occupied by 'Premier'; however, the building unfortunately suffered fire damage in 2019 and has been in a state of disrepair and some dereliction ever since. Whilst the existing and derelict commercial space would be split into two smaller units, the development proposes two commercial units which would provide a direct service to visiting members of the public and would retain a shop front which relates well to the

street scene. Whilst the application site lies within the defined retail area of Aberdare, the site nonetheless lies outside the town's defined primary shopping area and a proposed mix of either A1, A2 or A3 uses at the site would be considered acceptable in this instance and would not detract from the established character of the area.

The provision of additional residential units and commercial units within a sustainable location within the Town Centre of Aberdare would be considered acceptable in principle. However, the development proposes Highly Vulnerable Development within Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning also identifies the application site to be at risk of flooding and falls into Flood Zone 3 Rivers. TAN15 affirms that highly vulnerable development should not be permitted in Zone C2 of the of the DAM maps.

The development has therefore been supported by a Flood Consequences Assessment (FCA), which aims to address the concerns raised over Flood Risk at the site. The submitted FCA demonstrates that that the Finished Floor Levels (FFL) of the proposed residential units would be 210mm above the flood level at the front and 300mm above the flood level to the rear of the building, and the FCA demonstrates that the proposed development would be flood free during a 0.1% Annual Exceedance Probability (AEP) Event. Following consultation with Natural Resources Wales (NRW), it is considered that the submitted FCA shows that the risks and consequences of flooding could be managed to an acceptable level. NRW have offered no objection to the proposal, subject to a condition ensuring that the residential units must be set to 125.14 metres Above Ordnance Datum (mAOD) in accordance with the submitted plans and information contained within the FCA.

The provision of residential units and commercial spaces within a highly sustainable location in a town centre location is considered acceptable. The proposal would make beneficial use of an unsightly building in a prominent town centre location and the proposal would have regeneration benefits for the site and wider town centre. Whilst the Development site proposes highly vulnerable development within Zone C2 of the DAM maps and therefore fails to comply entirely with TAN15 and Policy AW2 of the LDP, the submitted FCA nonetheless demonstrates that the risks and consequences of flooding could be managed to an acceptable level, and no objections were raised by Natural Resources Wales. Overall, the development proposal would provide additional units and commercial opportunities within the town and would reinforce the role of Aberdare as a Principal Town, which is considered acceptable and in accordance with relevant policies of the Local Development Plan.

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 with primary access also available to residents from Market Street to the front of the property. Whilst some concern is raised with regards to the outlook provided for the ground floor flats; each flat is nonetheless provided with full windows with unobscured views and on balance it is considered that an acceptable level of outlook would be provided to the proposed residential units and a reasonable level of natural daylight would also be provided to each flat. Some concern is also raised with regards to possible overlooking between the proposed residential units; however, the application site is located within a densely built town centre location where mutual levels of overlooking are well established and the proposal is considered acceptable in this respect with acceptable levels of privacy afforded to future occupants.

The proposal represents the conversion of an existing building which occupies the entire footprint of the application site, and as such, 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:

The building suffered substantial fire damage in 2019 and the development proposes to restore large parts of the building, along with some alterations and extensions. The proposal therefore represents a large improvement to the street scene by bringing a largely derelict building back into beneficial use.

The proposed shopfront design would be considered acceptable and in keeping with the general character of the street scene. Furthermore, the proposal to reinstate and rebuild first floor bay windows to the principal elevation of the building is considered acceptable and would aid in preserving the character of the property and wider area.

Large parts of the building would be undertaken within the fabric of the existing building; however, dormer extensions are also proposed. Whilst flat roofed dormers are normally considered less acceptable in terms of visual amenity, the proposed dormers would nonetheless be considered acceptable in this instance. The dormers would be constructed to the rear part of the building and as such, would not be readily visible within the public realm and would not harm the character of the street scene at this location. Additionally, the dormers would be set down from the ridge and set back from the eaves and would be largely subservient to the building's roof.

Some additional openings and alterations are proposed at the site, which are considered acceptable in terms of design and would not detract from the character of the building or wider area.

It is also noted that a Grade II Listed Building 'Caradog Arms Hotel, Victoria Square', also known as the Boot Hotel, adjoins the application site to the south. However, due to the nature and scale of alterations proposed at the application site, it is not considered that the proposal would negatively affect or impact the setting of the adjacent listed building.

Overall, the development would represent a substantial improvement to the appearance of the building bringing an unsightly fire damaged building back into beneficial use, and the development would be a positive enhancement on the street scene, which would preserve the character of the site and wider area.

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 and would not significantly impact the privacy of neighbouring occupiers. Additionally, it is not considered that the conversion works and alterations would negatively impact the amenities of neighbouring occupiers through overshadowing.

Concerning the proposed commercial units to the ground floor. The building's ground floor was previously occupied by a retail store with associated activity and as such, the proposed commercial use to ground floor would not be considered to greatly increase levels of disturbance to neighbouring occupiers in comparison to previous uses at the site. Furthermore, the application site is in proximity to other commercial uses, including a nightclub, and it is considered that the levels of noise and disturbance generated by two small commercial units would likely be accepted by residents living in a Town Centre Location.

Overall, 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.

Access:

The proposal is located within Zone 1 Aberdare Town Centre on Market Street, which is pedestrianised between 6am and 6pm except for loading. Market Street provides for a shared surface with no dedicated footways and is a one-way street providing sufficient space for both vehicles and pedestrians to pass one another.

Servicing the proposed two retail units would be as existing to the front from Market Street.

Parking:

The Local Highway Authority consider that the proposed 4no. 1 bed and 2no. 2 bedroom flats require up-to a maximum of 6 off-street spaces. The proposed retail units require 1 spaces each (2 space) with servicing accommodated without affecting highway safety. It is also considered that there are controls in place for servicing to take place.

The existing use as a retail and office use requires in the region of 6 off-street spaces with none provided.

Highways Conclusion:

The Local Highway Authority consider that the proposal requires 8 off-street car parking spaces with none provided. However, taking into account the proposal is located within the centre of Aberdare Zone 1 and within easy walking distance of a number of local facilities including both bus and rail stops, is it considered that future occupants would be less reliant on the private motor vehicles as their primary mode of transport. Overall, with no possibility of providing off-street car parking within the curtilage with only a slight increase in parking demand, the proposal is considered acceptable in terms of access and highway safety. The Local Highway Authority have raised no objection to the proposal.

Ecology:

A Bat and Bird Scoping Survey has been submitted in support of the planning application. The survey assessed the building to be of negligible potential for roosting bats, with some potential found for pigeons nesting in the building. Following consultation with the Council's ecologists and Natural Resources Wales, no objections were raised subject to conditions for the precautionary measures outlined in the Bat Report along with a condition for a nesting bird method statement.

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 of the LDP.

Drainage and Flood Risk:

Following Consultation, the Council's Flood Risk Management Department have offered no objections to the proposal.

Welsh Water have 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.

Some concerns were initially raised by NRW due to the site being located within Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004) and the Flood Map for Planning identified the

application site to be at risk of flooding and falls into Flood Zone 3 Rivers. As such, NRW requested further information. As discussed previously within this report, a Flood Consequences Assessment (FCA) was provided which showed that the risks and consequences of flooding could be managed to an acceptable level, subject to a condition ensuring that the finished floor levels of the residential units be in line with plans submitted and in line with the approved FCA.

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

Public Health & Protection:

The Council's Public Health and Protection Department have requested a condition be attached outlining details of exhaust/ ventilation equipment to be installed along with a noise impact assessment. However, plans submitted do not show any external exhaust ventilation equipment and should an external flue or ventilation equipment be proposed at the site in future, the proposed external flue/ ventilation system would require planning permission. As such, the condition is not considered necessary.

A condition has also been suggested requesting details of grease traps to be provided should a food outlet occupy one of the proposed commercial units. A condition is therefore suggested for details of a grease trap to be submitted and approved prior to the site operating as a food outlet.

The Council's Public Health and Protection Department have also requested a condition which states that no member of the public shall be admitted to or allowed to remain on the commercial premises between the hours of 17:00 and 09:00 on any given day and should these times not be sufficient, a noise assessment has been requested to ensure necessary mitigation is installed prior to the occupation of the proposed residential accommodation. However, the application site is located within a town centre location where increased levels of activity and noise would likely be accepted by future occupants of the residential units. Furthermore, an existing commercial unit previously occupied the ground floor of the building and there are uses in close proximity to the application site which operate beyond the hours specified by the Council's Public Health and protection Department, including a nightclub located approx. 7m to the east of the application site. Consequently, the requested conditions are not considered necessary in this instance. It should also be noted that the development will be required to comply with Building Regulations.

The Council's Public Health and Protection Department have also commented on the development in relation to the demolition of buildings, noise, dust, and disposal of waste and have recommended advisory notes to advise the developer of their responsibility when undertaking construction works.

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 derelict and fire damaged building in a highly sustainable location and would result in a considerable improvement to the appearance of the property and street scene. The proposed flats would also provide a welcome contribution to the local housing supply and additional commercial units within the Town Centre would aid in regeneration ambitions within the town.

Whilst the application proposes highly vulnerable development within an identified Flood Zone, the Flood Consequences Assessment (FCA) submitted nonetheless demonstrates that the risks and consequences of flooding could be managed to an acceptable level and Natural Resources Wales have offered no objection to the proposal.

Furthermore, it is not considered that the development would significantly impact upon the amenities of neighbouring occupiers, nor would it have any adverse impact upon highway safety in the vicinity of the site.

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 plans:-
 - PLANNING – A3 – OS Maps – Existing and Proposed. Drawing Number: 710-100. Rev C
 - PLANNING – A2 – Existing GA Plans. Drawing Number: 710-210. Rev C
 - PLANNING – A2 – Existing GA Elevations. Drawing Number: 710-220. Rev D

- PLANNING – A2 – Existing GA Elevations – Additional. Drawing Number: 710-221. Rev A
- PLANNING – A2 – Proposed GA Plans – Page 1. Drawing Number: 710-250. Rev G
- PLANNING – A2 – Proposed GA Plans – Page 2. Drawing Number: 710-251. Rev F
- PLANNING – A2 – Proposed GA Elevations – Additional. Drawing Number: 710-261. Rev B
- PLANNING – A2 – Proposed GA Elevations. Drawing Number: 710-260. Rev H

and documents received by the Local Planning Authority on 04/07/2023, 07/07/2023, 15/11/2023 and 15/04/2024 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. The finished flood levels of the residential units must be set to 125.14 metres Above Ordnance Datum (mAOD) in accordance with drawing A2 – Proposed GA Plans, and Page 1 and Section 3.2 of the approved Flood Consequence Assessment 4-5 Market Street, Aberdare by Ashfield Solutions Group dated 2nd November 2023.

Reason: To reduce the risk and impacts of flooding to the proposed development and its owners/ occupiers in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan and Technical Advice Note (TAN) 15.

4. Building operations shall not be commenced until samples 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.

5. Notwithstanding the approved plans, development shall be carried out in accordance with the recommendations, mitigation, enhancements and required actions set out in Section 4 'Recommendations' of the Bat and Bird

Scoping Survey of 4-5 Market Street, Aberdare, Wales, CF44 7DY (7 September 2023), undertaken by Crossman Associates.

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

6. No development shall take place until a scheme for biodiversity enhancement 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: In the interests of maintaining and enhancing biodiversity, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan and Future Wales Policy 9.

7. Prior to commencement of works, a nesting bird assessment and controlled method statement shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.

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

8. The use of the site as a food outlet shall not commence until an adequate grease trap has been fitted in accordance with details that have been submitted to and approved in writing by the local planning authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason: To protect the integrity of the public sewage system and ensure the free flow of sewage, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Prior to the occupation and use of the development hereby approved a Flood Emergency Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be implemented in accordance with the approved Flood Emergency Plan.

Reason: To minimise the risk to life and property from an extreme flooding event in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.