

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2015-2016**

**DEVELOPMENT CONTROL  
COMMITTEE  
21 APRIL 2016**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	<b>Agenda Item No. 5</b>
<b>APPLICATION NO: 15/01170 - CHANGE OF USE FROM EXISTING PUBLIC HOUSE AND BEDROOMS TO 6 NO. SELF CONTAINED FLATS MORNING STAR PUBLIC HOUSE, 59 LLANTRISANT ROAD, GRAIG, PONTYPRIDD</b>	

**1. PURPOSE OF THE REPORT**

Members are asked to determine the above application.

**2. RECOMMENDATION**

That Members consider this report in respect of the application and determine the application having regard to the advice given.

**3. BACKGROUND**

This application was originally reported to the Development Control Committee on 4<sup>th</sup> February 2016 with a recommendation of approval. A copy of that report is attached at **APPENDIX A**. At that meeting Members deferred determination to enable a site visit to take place. The site visit took place on 17<sup>th</sup> February 2016. At the site visit Councillor Cass raised an issue with regard the possibility that another land owner had interests at the site.

The application was reported back to Development Control Committee on 3rd March 2016. A copy of that report is attached at **APPENDIX B**. At that meeting the application was deferred, as the applicant had clarified that some of the parking area was indeed under some else's ownership.

Since that meeting a new site plan has been submitted with the land in question has been removed from the application site area. The new site plan now identifies 6 parking spaces (instead of the original 9 spaces) and is attached at **APPENDIX C**.

The application has been re-advertised and Members are advised that no further comments have been submitted as a result of the subsequent public consultation exercise. The Council's Transportation Section has also been re-consulted for their updated comments. No objection has been raised as they detail the proposal is in a sustainable location and still provides 1

space per dwelling. The same condition is suggested requiring the parking is laid out prior to occupation of the dwellings and kept thereafter for parking.

Therefore, if Members are minded to approve the application; the following updated conditions are recommended:

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 Location Plan received 26<sup>th</sup> August 2015:

- MS15(CP)205A Site Boundary & Car Parking received on 4<sup>th</sup> March 2016.
- MS15(98)108 Proposed Basement Plan received on 26<sup>th</sup> August 2015.
- MS15(98)109 Proposed Ground Floor Plan received on 26<sup>th</sup> August 2015.
- MS15(98)110 Proposed First Fl and Attic Plans received on 26<sup>th</sup> August 2015.
- MS15(98)111 Proposed Front & Side Elevations received on 26<sup>th</sup> August 2015.
- MS15(98)112 Proposed Rear Elev & Cross Section received on 26<sup>th</sup> August 2015.
- MS15(98)113 Proposed Longitudinal Section received on 26<sup>th</sup> August 2015.

and documents received by the Local Planning Authority on 26<sup>th</sup> August 2015, 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 building shall not be occupied until an area for the parking of vehicles has been laid out in accordance with the approved plans and that area shall not thereafter be used for any other purpose other than the parking of vehicles.

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.

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**APPLICATION NO:** 15/1170/10 (GW)  
**APPLICANT:** Taha's Ltd  
**DEVELOPMENT:** Change of use from existing public house and bedrooms to 6 no. self contained flats.  
**LOCATION:** THE MORNING STAR PUBLIC HOUSE, 59  
LLANTRISANT ROAD, GRAIG, PONTYPRIDD, CF37  
1LW  
**DATE REGISTERED:** 02/12/2015  
**ELECTORAL DIVISION:** Graig

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**RECOMMENDATION: GRANT**

**REASONS:**

The building is located within the settlement boundary and close to the town centre of Pontypridd. It would provide a beneficial, active and sustainable use in a currently vacant building.

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**APPLICATION DETAILS**

Full planning permission is sought for the change of use from a public house and B&B bedrooms to 6no. self contained flats: The ground floor and first floor would have a one bedroom flat and a two bedroom flat and the attic would be converted to a two bedroom flat. These dwelling would be accessed from the front of the building. The basement would have a two bedroom flat and would be accessed from the rear of the building.

An external staircase on the side of the building and the signage relate to the public house use would be removed. A bin storage area would be provided on the patio area.

A car park to the rear of the building would be accessed from Factory Lane and would provide space for 9 cars.

The application is accompanied by the following:

- Design and Access Statement.

**SITE APPRAISAL**

The site is known as the Morning Star, which occupies a corner plot on the junction of Llantrisant Road and Factory Lane, Graig, Pontypridd. The building is located on a busy road junction and there are a variety of uses in the immediate area.

There is a garage and tyre repair centre to the north and west and the area to the south and east is predominantly residential in character. To the rear and north

side, the property has a former beer garden, which is enclosed by a high-level boundary wall. To the front elevation, facing Llantrisant Road, the property has two-storeys, with a traditional stone finish and brick quoin details painted white. The rear elevation of the property has a rendered finish and the appearance of a three-storey property, with access to the former beer garden being gained from the basement.

## PLANNING HISTORY

12/1294	59 Llantrisant Road, Graig, Pontypridd	Conversion of existing bar area to basement into bedrooms (change of use into hostel) in association with existing hotel use.	Refused 17/03/15
12/1293	59 Llantrisant Road, Graig, Pontypridd	Application for Lawful Development for an existing use of a Public House and Hostel.	Refused 17/03/15
11/1140	The Morning Star Public House, 59 Llantrisant Road, Graig, Pontypridd,	Conversion of existing bar areas into bedrooms (Change of use).- amended plan received 25/11/11 - reduction in total number of bedrooms from 17 to 16 - amended location plan received on 26/01/12.	Refused 01/05/12  Appeal: Dismissed 05/09/12
08/0393	Morning Star Ph, 59 Llantrisant Road, Graig, Pontypridd	Rear balcony	Withdrawn 04/05/12
07/1389	The Morning Star, Llantrisant Road, Graig, Pontypridd	Raised patio/bar extension - beer garden.	Withdrawn 05/09/07
97/2470	Morning Star Ph, 59 Llantrisant Road, Graig, Pontypridd	Renew staircase and windows.	Permission Not Required 19/06/97
86/1314	Land Rear of Morning Star PH, Llantrisant Road, Graig, Pontypridd	Private car Park	Refused 16/04/87
85/0966	Morning Star Ph, 59 Llantrisant Road, Graig, Pontypridd	Connect existing cellar store into cellar bar	Refused 18/03/86

## **PUBLICITY**

The application has been advertised via the erection of site notices and by direct neighbour notification. No correspondence has been received at the time of writing this report.

## **CONSULTATION**

Dwr Cymru/Welsh Water – no objection subject to surface water and foul water being discharged separately from the site.

Flood Risk Management - no objection as there would be no additional hard surface run off.

Public Health and Protection – no objections.

Transportation Section – no objection subject to a condition requiring parking spaces to be laid out in accordance with submitted plan and retained for parking.

## **POLICY CONTEXT**

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

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

**Policy CS2** - promotes residential development which respects the character and context of Principal Towns of the Southern Strategy Area and places an emphasis on focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings.

**Policy AW1** - residential development proposals will be expected to contribute to meeting local housing needs and the supply of new housing will include the conversion of suitable structures to provide housing.

**Policy AW2** - development proposals will only be supported in sustainable locations, including sites within the defined settlement boundary, which would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable transport options, have good access to key services and facilities and support the roles and functions of the Principal Towns.

**Policy AW5** - sets out criteria for new development and requires the scale, form and design of new development to have an acceptable effect on the character and appearance of the site and surrounding area and existing features of the built environment to be retained. Development must have no significant impact on the amenities of neighbouring properties, be compatible with other uses in the locality and to design out the opportunity for crime and anti social behaviour. Development must be sustainable, have safe access and provide car parking in accordance with the Council's Supplementary Planning Guidance (SPG).

**Policy SSA13** - permits development within the defined settlement boundaries provided it does not adversely effect the provision of open space and car parking in the surrounding area, the land is not contaminated or subject to land instability and is accessible to local services by a range of modes of sustainable transport, on foot or by cycle.

## **Supplementary Planning Guidance**

Access Circulation and Parking

Design and Placemaking

Development of Flats – Conversion and New Build

## **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 Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development), Chapter 8 (Transport) and Chapter 9 (Housing), sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development; and  
Manual for Streets.

## **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

### **Principle of the proposed development**

The proposal is for the conversion of a former public house to a residential use i.e. six self contained flats. Members are advised that more recently, an unauthorised hostel use has been carried out at the property and subsequent applications to retain this use have been refused. It is considered, whilst the loss of the public house use is regrettable the proposed residential use would however be beneficial in retaining an active use of the building.

In policy terms, the building is located within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan. It is also easily accessible to and from Pontypridd town centre and the local shops, services and transport links this provides. And therefore fulfils a number of the policy criteria required for a sustainable location.

Therefore it is considered the principle of a residential use of this building would be acceptable subject to the following material planning considerations.

### **Impact on residential amenity**

The property is located in a predominantly residential area; however it has previously been used as pub with an entertainment room in the basement and B&B letting accommodation on the first floor. As such the existing historical use would have resulted in some noise and disturbance to local residents typical with a pub use.

The proposed use would also result in some noise and disturbance issues from residents coming and going to the property and living what would be separate lives. However the impact would not be significant enough to warrant a refusal reason.

The property is located in a similar situation to surrounding residential properties and overlooking would not be a significant issue.

In terms of the occupiers of the dwellings there is some amenity space surrounding the property. This would also provide some space to store bins off the pavements as identified on the plans. The main access is from the main road and the rear access to the basement flat is open and well overlooked. As such it is considered the proposal would accord with guidance within the Council's Supplementary Planning Guidance for flat development.

It is therefore considered that the development would not have a significant detrimental impact on the amenity of the occupiers of the proposed dwellings and on surrounding residents.

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

There are no significant changes to the building externally. The removal of the external staircase and public house signage would be a benefit. Therefore this issue would not warrant a refusal reason.

### **Access and highway safety**

The application details the property benefits from a parking area for 9 cars at the rear. No objection has been raised by the Transportation Section. It is also considered due to the location of the premise, close to the town centre and public transport links, that car ownership of the occupants may not be as high as in a normal residential situation. As such it is considered car parking space would not be essential in these circumstances. Therefore in these terms the application would be acceptable.

### **Other issues**

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

### **Drainage**

Whilst the comments raised by Dwr Cymru Welsh Water are appreciated the development is the conversion of an existing building and drainage is indicated as existing. It is considered the matters they raise can be more efficiently controlled

by other legislation. An appropriate note can be added to any permission concerning the sewer and drainage issues they raise.

### **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 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development.

The developer has clarified that the building has been in use for a period of 6 months within the last three years. Therefore no CIL (including indexation) is expected.

### **Conclusion**

The application is considered not to comply with the relevant policies of the Local Development Plan in respect of the impact on residential amenity (Policy AW5).

### **RECOMMENDATION: Grant**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved Location Plan received 26<sup>th</sup> August 2015
  - MS15(98)101 Site Boundary and Car Parking received on 26<sup>th</sup> August 2015.
  - MS15(98)108 Proposed Basement Plan received on 26<sup>th</sup> August 2015.
  - MS15(98)109 Proposed Ground Floor Plan received on 26<sup>th</sup> August 2015.
  - MS15(98)110 Proposed First Fl and Attic Plans received on 26<sup>th</sup> August 2015.
  - MS15(98)111 Proposed Front & Side Elevations received on 26<sup>th</sup> August 2015.
  - MS15(98)112 Proposed Rear Elev & Cross Section received on 26<sup>th</sup> August 2015.
  - MS15(98)113 Proposed Longitudinal Section received on 26<sup>th</sup> August 2015.

and documents received by the Local Planning Authority on 26<sup>th</sup> August 2015, 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 building shall not be occupied until an area for the parking of vehicles has been laid out in accordance with the approved plans and that area shall not thereafter be used for any other purpose other than the parking of vehicles.

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.

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**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL MUNICIPAL  
YEAR 2015-2016**

**DEVELOPMENT CONTROL  
COMMITTEE  
3 MARCH 2016**

**REPORT OF THE  
DIRECTOR LEGAL AND  
DEMOCRATIC SERVICES**

**Agenda Item No.4(1)**

**SITE MEETING  
APPLICATION NO. 15/1170 – CHANGE  
OF USE FROM EXISTING PUBLIC  
HOUSE AND BEDROOMS TO 6 NO. SELF  
CONTAINED FLATS – THE MORNING  
STAR PUBLIC HOUSE, 59 LLANTRISANT  
ROAD, GRAIG, PONTYPRIDD**

**Author: Mrs.Z.Maisey, Principal Officer, Committee Services**

**1. PURPOSE OF THE REPORT**

To consider the outcome of the site inspection in respect of the above- mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

**2. RECOMMENDATION**

To approve the application in accordance with the recommendation of the Service Director, Planning.

**3. BACKGROUND**

- 3.1 In accordance with Minute No.159(2) (Development Control Committee, 4 February 2016), a site inspection was undertaken on Wednesday, 17 February 2016 to consider highways issues and the impact of the proposal on the amenity of the area.
- 3.2 The meeting was attended by the Chair of the Development Control Committee (County Borough Councillor G.Stacey) and Committee Members - County Borough Councillors (Mrs) S.J.Jones, R.Lewis, S.Powderhill, G. Smith and (Mrs) J.S.Ward. Non-Committee/Local Member - County Borough Councillor (Mrs) J.Cass was also in attendance.
- 3.3 Apologies for absence were received from Committee Members - County Borough Councillors L.M.Adams, M.Griffiths, P.Jarman, C.J.Middle, S.Rees, G.P.Thomas, P. Wasley, M.J.Watts and E.Webster.

- 3.4 Members met at the application site located on a corner plot on the junction of Llantrisant Road and Factory Lane, Graig, Pontypridd and were informed by the Development Control Officer that full planning permission was being sought for the change of use from a public house and B&B bedrooms to 6 no. self contained flats. The ground floor and first floor would have a one bedroom flat and a two bedroom flat and the attic would be converted to a two bedroom flat. These dwellings would be accessed from the front of the building. The basement would have a two bedroom flat and would be accessed from the rear of the building. A car park to the rear of the building would be accessed from Factory Lane and would provide space for 9 cars.
- 3.5 The Development Control Officer informed Members that a “late” letter had been received from Pontypridd Town Council objecting to the application on highways grounds including a lack of car parking facilities and the detrimental impact the development would have on the amenities of the area.
- 3.5 Members noted the comments of the Development Control Officer that the proposed residential use would be beneficial in retaining an active use of the building. The principle of a residential use of the building was considered acceptable as it was not considered to have a significant detrimental impact on the amenity of the occupiers of the proposed dwellings or the surrounding residents. Members also noted that there would be no significant changes to the building externally but some concern was expressed about the building being overdeveloped internally.
- 3.6 The Transportation Officer confirmed there was no objection to the proposed development subject to conditions. The Transportation Officer advised that the existing parking requirement was higher than the proposed and the parking provision was in excess of 1 space per flat. Also, considering the location of the premises, close to the town centre and public transport links and that car ownership of the occupants may not be as high as in a normal residential situation, 9 parking spaces were considered acceptable.
- 3.7 Non-Committee/Local Member for the Graig – County Borough Councillor (Mrs) J.Cass outlined her concerns about the high number of flats proposed at the premises which included both the attic and basement areas. Councillor Cass also raised land ownership concerns in relation to the car park area though was informed by the Development Control Officer that whilst these matters had been raised and addressed by the applicant, further information was being sought from a person thought to have an interest in the land and the outcome would be reported back to the Development Control Committee.



**as amended by**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LIST OF BACKGROUND PAPERS**

**DEVELOPMENT CONTROL COMMITTEE**

**21 APRIL 2016**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATION NO: 15/01170 -  
CHANGE OF USE FROM EXISTING  
PUBLIC HOUSE AND BEDROOMS  
TO 6 NO. SELF CONTAINED  
FLATS MORNING STAR PUBLIC  
HOUSE, 59 LLANTRISANT ROAD,  
GRAIG, PONTYPRIDD**

**OFFICER TO CONTACT**

**MR G WATKINS  
(Tel. No. 01443 494754)**

**See Relevant Application File**