

## **PLANNING & DEVELOPMENT COMMITTEE**

**5 APRIL 2018**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 17/1359/10 (EL)  
**APPLICANT:** Ynys Property Investments Ltd  
**DEVELOPMENT:** Change of use from D1 non-residential institution to 6no C3 dwellings with a 2 storey infill extension.  
**LOCATION:** YNYSANGHARAD SURGERY, 70 YNYSANGHARAD ROAD, PONTYPRIDD, CF37 4DA  
**DATE REGISTERED:** 18/12/2017  
**ELECTORAL DIVISION:** Trallwn

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**Recommendation**  
**Approve**

#### **Reasons:**

The proposal would bring back into use a vacant building, close to Pontypridd town centre, by providing 6 no. residential units. The impacts upon the character and appearance of the area, residential amenity and highway safety are all considered acceptable and therefore accord with the requirements of the relevant Local Development Plan policies.

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#### **Reason application reported to committee**

- The application seeks full planning permission for 6 residential units.

#### **Application Details**

Full planning permission is sought for the refurbishment and change of use of the former Ynysangharad Surgery, 70 Ynysangharad Road, Pontypridd. A small in-fill extension is also proposed as part of the scheme.

The scheme involves the conversion of the existing building to form 2 no. 2-bedroom flats and 4 no. 1-bedroom flats. 3 units would occupy the ground floor and 3 units would occupy the first floor. A small infill extension would be constructed as part of the conversion, this would infill a gap in the front elevation of the property. It would extend over two storeys, creating 13 square metres of additional floor space and allowing the creation of more 'usable' floor space.

Elsewhere, the conversion would be undertaken within the fabric of the existing building. Where possible the existing pattern of fenestration would be retained, although a number of roof lights are proposed along with a new first floor opening in

the west (side) elevation and in the proposed infill extension to the (north) front elevation.

A driveway and parking area would be located to the front elevation of the property. The layout plan illustrates the provision of 3 no. off street car parking spaces, although the Transportation Section's assessment confirms that these fall below the standard size for parking bays (at 4.2 metres, rather than 4.8 metres in length). Shared amenity/ garden areas would be located to the rear of the building.

## Site Appraisal

The application site is the former Ynysangharad Surgery, located at 70 Ynysangharad Road, Pontypridd. The former surgery occupied two buildings, a traditional two storey end of terrace property, which connected with a modern two storey brick built property. Whilst the former dwelling fronts the line of the footway, the modern building is set back slightly providing a small area for off-street parking to the front. To the rear of the property is small enclosed garden/amenity area. The buildings are located in an area which has a mix of commercial and residential uses. The majority of properties along Ynysangharad Road are traditional residential terraces. However, to the east of the site is a commercial garage and to the south the property is bounded by the nearby retail park and B&Q. This section of Ynysangharad Road is a no-through road, with a turning area being located at the eastern end of the street. The highway fronting the site is covered by double yellow lines, however the land directly opposite the site and neighbouring terrace is laid out with designated parking bays. Merthyr Road lies in an elevated position to the north of the site, however views to and from this road are largely screened by mature trees and vegetation.

## Planning History

App No.	Site Location	Proposal	Decision	Decision Date
99/2593	68 Ynysangharad Road, Pontypridd	Removal of single storey extension, rebuild and provision of fire escape stairs.	Granted with conditions	17/09/99
97/2749	68 Ynysangharad Road, Pontypridd	Change of use of premises from residential to use as part of surgery.	Granted with conditions	12/12/97
88/0940	Site of no.'s 69-71 Ynysangharad Road, Pontypridd	Construction of doctor's surgery	Granted with conditions	31/01/89

## Publicity

The application was advertised by direct neighbour notification and site notices. Three letters of representation have been received, these are summarised as follows:

- Concerns are expressed with regard to the parking problems which already exist at the site. Residents comment that car parking is constantly full during the day and people also park on the double yellow lines and in the turning area at the end of the street. A number of photographs to illustrate this point accompany the letter.
- A resident comments that the problems with parking are exacerbated by the traffic associated with Autoparts car business. They comment that their staff use multiple spaces through the working week. They also comment that the garage business on Ynysangharad Road also take up car parking spaces, sometimes leaving vehicles on the road for a number of weeks.
- They also comment that as the site is close to town, many people use the 2 hour parking bays to park whilst they visit the town centre. They comment that this also causes problems when any residents of the street have visitors as there is often nowhere for them to park.
- They comment that more dwellings on the street would place more strain on the parking difficulties that existing residents already experience.
- A resident comments that the scheme would not provide any benefit to existing residents on the street, with the possibility of the introduction of 12 cars looking for spaces in the street.
- A resident also comments that parking enforcement is an issue in the area. They comment that many cars parked in the 2 hour bays over stay this period without enforcement action being taken. They also comment that cars associated with the businesses on the street often park on the double yellow lines or residents permit bays.
- They comment that residents who pay for a parking permit should be able to park outside their properties at any time, day or night.
- They suggest that the parking along the street should be changed to strictly permit only with designated bays for residents and regular parking enforcement being observed and a platform for residents to report wrongly parked cars.

## **Consultation**

Transportation Section – no objections raised.

Land Reclamation and Engineering – no objections raised.

Public Health and Protection – no objections raised.

Dwr Cymru – no objections raised, conditions suggested.

## **Policy Context**

### Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries.

AW1 – sets a target for the provision of new housing including amongst other things, through the conversion of suitable existing buildings.

AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

AW5 - sets out criteria for new development in relation to amenity and accessibility.

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

SSA12 - seeks 20% affordable housing in schemes of 5 units or more

SSA13 - provides the criteria for development within settlement limits.

### National Guidance

Planning Policy Wales Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 8 (Transport) and Chapter 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

### **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

The current application represents a scheme for the extension to and refurbishment of the former Ynysangharad Surgery, 70 Ynysangharad Road, Pontypridd. The intention is to bring the building back into use through its conversion and sub-division to create 6 no. 1 and 2 bedroom residential units. As such, the key considerations in the determination of the application are whether the proposed use is compatible with the building's location, along with the potential impacts of the resulting development upon the character of the building and its setting, amenity of neighbouring occupiers and highway safety.

### Principle of development

The application site is located within settlement limits, with the building occupying a central position on an established street close to Pontypridd town centre. Planning policy AW1 sets out the requirements for new housing development and the methods by which the provision of new housing will be met, with section AW1.5 making direct reference to the maintenance, rehabilitation and improvement of existing housing and the conversion of suitable structures to provide housing. In this regard it is considered that the scheme is acceptable in principle, by bringing back

into use a vacant building, which is located in a predominantly residential area, subject to adequate amenity standards being achievable.

### Character and Appearance

As detailed above the proposed works to convert the property would be undertaken largely within the fabric of the existing building. A small extension is proposed as part of the works, however this would represent a small in-fill between the two parts of the existing property, creating 13 square metres of additional floor space and respecting the established building line of the property. Further minor adaptations to the building are proposed, by way of the creation of additional windows and modifications to the internal layout of the building.

Whilst minor internal and external adaptations are proposed, the general appearance of the building, when viewed from Ynysangharad Road, would remain largely unaltered. This would ensure that the development continues to be in keeping with the character and proportions of the neighbouring buildings and the wider street scene. Overall, it is not considered that the proposed conversion would adversely affect either the character or appearance of the existing property or wider street scene.

To conclude, it is considered that the proposed development would make a positive contribution to the character and appearance of the locality and is considered compliant with the requirements of Local Development Plan policies AW5 and AW6.

### Residential amenity

As noted above, whilst there are a number of commercial uses in the vicinity of the site, the building is located within a predominantly residential area; in this respect consideration should be given to the potential impacts upon the privacy and amenity of existing neighbouring residents. As noted above, the conversion would be undertaken largely within the fabric of the existing property, with only a modest extension proposed. It is noted however, that the scheme does involve the provision of an enlarged first floor window to the (west) side elevation. It is acknowledged that this would be close to the boundary with the neighbouring dwelling (no.72) however, a similar arrangement currently exists at the site, albeit that the existing smaller window serves a circulation space. Nevertheless, in order to avoid any potential loss in privacy to the occupiers of the neighbouring dwelling, a condition is suggested which would require the lower section of this bedroom window to be fitted with obscure glazing.

It is noted that to the rear (south) of the site, the property is bounded by two existing residential dwellings, which lie in close proximity to the building. However, given the orientation of these dwellings, the fact that to the rear no new openings are proposed and those that would serve habitable rooms would be at ground floor level, it is not considered that the levels of amenity or privacy that these residents currently enjoy would be unduly compromised.

### Highway Safety

With regard to the potential impact upon highway safety, following consultation with the Council's Transportation Section, it is noted that no objections have been raised to the proposal.

Their observations comment that the proposed development site is located on Ynysangharad Road, Pontypridd. Ynysangharad Road has a carriageway width of 5.0m with a 1.3m wide footway on its development side. It also incorporates limited waiting parking opposite the proposed development, with an exemption for resident permit holders. Ynysangharad Road incorporates a turning area, albeit sub-standard when compared to current standards.

In terms of car parking, the development site was most recently operated as a Doctor's Surgery and is located within Parking Zone 3. In accordance with the Council's adopted Supplementary Planning Guidance: Access, Circulation and parking Requirements (March 2011), the site's lawful use (as a surgery) is estimated to host 6 practitioners and 6 ancillary staff, which would equate to an off-street parking requirement of 26 spaces. The proposed development is for a change of use to 6 no flats, comprising of 4 no. 1 bedroom flats and 2 no. 2 bedroom flats. In accordance with the aforementioned Supplementary Planning Guidance, Apartments (1 or 2 Bedrooms) have a maximum off-street parking requirement of 2 spaces, with an additional requirement of 1 space per 5 units for visitors. This equates to a proposed maximum requirement of 13 spaces, a lesser requirement than that of the former surgery.

The submitted application form and plans indicate that 3 spaces are to be provided to the front of the property. However, it is noted that the 3 parking spaces measure only 4.2m in depth on the submitted plan, which is below the standard requirement for parking bays (which is 4.8 metres). Therefore, whilst vehicles could access and park in these spaces, larger vehicles would overhang the footway. As such, for the purposes of the assessment of the application, the development is considered to have zero off-street parking provision and a shortfall of 13 spaces for the proposed development, which gives some cause for concern. However, the Council's adopted Supplementary Planning Guidance: Development of Flats – Conversions and New Builds states that consideration should be given to: the proximity and range of public transport services; the range of services within easy walking distance, including shopping, schools and healthcare; the accessibility of employment opportunities; and parking demand created by the existing use. Considering that the development is located within easy walking distance of Pontypridd town centre, which incorporates numerous services and employment opportunities as well as a bus station and train station, and that the site's lawful use (as a surgery) has a requirement of 26 spaces (double that of the proposed requirement), it is considered that on balance the proposal is acceptable in highway safety terms.

It is acknowledged that three letters of representation have been received from neighbouring occupiers who express concern that the development would exacerbate parking problems in the vicinity of the site. Whilst it is acknowledged that parking is in demand in the street, it is noted that many of the concerns identified relate to the fact that the appropriate parking enforcement is not observed when cars are not parked in accordance with the requirements of the traffic regulations in force on the street.

Furthermore, Member's attention is drawn to the fact that the lawful use of the building is a doctor's surgery, which falls under Class D1 of the Use Classes Order. As such, the building may be brought back into use for any other use within this Class without the need for planning permission. Other uses in this Class include day nurseries, crèches and education and training centres. Consideration must be given to the fact that many of these types of uses may generate a far greater impact in terms of traffic movements and parking requirements.

Overall, despite the shortfall in parking provision, given the sustainable location of the site and its proximity to the town centre it is not considered that the development would result in an adverse impact upon highway safety in the vicinity of the site and therefore accords with the requirements of policy AW5 of the Local Development Plan.

### **Other Issues:**

#### Affordable Housing

It is acknowledged that under the provisions of policy SSA12, 20% affordable housing contribution should be sought on schemes which propose 5 or more units of residential accommodation. As such, the current scheme meets the triggers for this contribution. However, the agent has indicated that the necessary contribution, which in this case would equate to a commuted sum for 30% of the open market value of a two bedroom unit on the site would make the development unviable. As such, the agent has presented a full set of figures and asked the Council to undertake a viability assessment of the scheme. Having analysed the data presented the Council's Spatial Planning Team concluded that the figures submitted in support of the application appear reasonable for the scale of works to be undertaken and the costs of renovation are in line with what the Council would expect to see.

Given what the applicant has so far invested; their profit margins appear to be 'slim' at 9.6%. The minimum developer profits the Council would expect to see are circa 15-17%; smaller local house builders and PLCs are more likely to be in the region of 20-25%. That being said, if the developer is willing to develop for such a small profit that is indeed their prerogative. It should however be noted that if the lower figure for the affordable housing contribution was sought, this would reduce the developer's profit to a mere 4.3%. On analysis of this development, it is considered that the affordable housing contribution sought could indeed mean the difference between witnessing development and having a vacant property within the town. The approval of this application could indeed see the development of a type of housing much needed within the Borough, whilst also regenerating the Principal Town of Pontypridd. Therefore, in this instance, in order to enable the development, it is considered that the affordable housing contribution should be waived.

#### Community Infrastructure Levy

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. Whilst the lawful use of the existing floor space is off-set against that of the proposed, a positive charge is still incurred for the proposed extension to the building.

The CIL (including indexation) for this development is expected to be £314.31.

### Conclusion

Overall, the application is considered to comply with the relevant policies of the Local Development Plan in respect of the provision housing, its impact upon the character and appearance of the area, amenity of neighbouring occupiers and highway safety. Moreover the proposed development represents an opportunity to bring back into beneficial use a vacant building close to Pontypridd town centre. Therefore the application is considered to accord with the requirements of planning policy and is therefore, recommended for approval, subject to the conditions specified below.

### **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(s) no(s):

Drawing no.R327-01-A4 Site Location Plan  
Drawing no.R327-02-A1 Existing ground floor plan  
Drawing no.R327-03-A1 Existing first floor plan & elevations  
Drawing no.R327-04-A1 Proposed ground floor plan  
Drawing no.R327-02-A1 Proposed first floor plan & elevations

and documents received by the Local Planning Authority on 18/12/17 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 external materials of the proposed conversion and extension shall match as near as possible the materials of the original building.

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. Prior to the residential units, hereby permitted, being brought into use;
- (i) the first floor bedroom window opening in the west side elevation (serving flat 4) shall be glazed with obscure glass, to a height of 1.75 metres above internal finished floor levels and fitted with top hung openings only,
  - (ii) the first floor bathroom window opening in the rear south elevation (serving flat 6) shall be glazed with obscure glass, details of which shall first be submitted to and agreed in writing by the Local Planning Authority. The windows shall be retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.