

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2016-20**

**DEVELOPMENT CONTROL  
COMMITTEE**

**1st February 2018**

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

**Agenda Item No. 7(2)**

**SITE MEETING**

**APPLICATION NO. 17/0407/10 – The Refurbishment and retention of ground floor retail unit (A1), Conversion of first floor and erection of 3 additional floors for residential accommodation (C3) (31 one bed flats, 13 two bed flats) retention of basement for car parking and associated works.**

**Author: Ms C. Hendy, Democratic Services Officer**

**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 109 (1) (Planning and Development Committee 7<sup>th</sup> December 2017) a site inspection was undertaken on Wednesday 3<sup>rd</sup> January 2018 to consider the location of the proposed access for residents and deliveries to the proposed development and its potential to impact on the safety of pedestrians accessing Ynysangharad Park

3.2 The meeting was attended by the Chair of the Planning and Development Committee (County Borough Councillor S. Rees) and Committee Members J. Bonnetto, D. Grehan, W. Owen, G. Hughes, P.Jarman,

D.H. Williams and J.Williams also in attendance were Non- Committee Local Members J. Brencher, H, Fychan and R.Smith.

- 3.3 Apologies for absence were received from Committee Members - County Borough Councillors, G. Caple and A. Davies - Jones
- 3.4 Members viewed the application site firstly from the front entrance of Taff Street where the Development Service Manager advised Members on the application. It was explained that the proposal sought permission for the refurbishment and retention of the ground floor retail unit (A1), conversion of first floor and 3 additional floors for residential accommodation (C3) (31 one bed flats and 13 two bed flats), retention of basement for car parking and associated works.
- 3.5 Members proceed to the rear of the build where they were able to view the proposed car parking arrangements at basement level. Members noted that the existing access from the adopted lane is also pedestrian access to the park.
- 3.6 Members noted concerns that had been expressed about the potential conflict between pedestrians entering the Park and vehicles accessing the basement area of the building for parking in association with the flats.
- 3.7 Members viewed the back of the building and noted the height of the building as well as visualising an increase in height with two extra floors.
- 3.8 Members proceed to the entrance of the Park to observe the view of the building from the riverside.
- 3.9 Local Members raised concerns regarding the access, parking and highways safety and in response the Highways Officer explained that detailed consideration has been given to the proposal in terms of access, circulation and parking and in light of sustainable location and existing traffic management, the proposal is acceptable subject to conditions stated in the report.

- 4.0 Local Members raised concerns regarding the added height of the building and the visual effect it would have to neighbouring buildings along with the potential of blocking light to both buildings and the Park.

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## APPLICATIONS RECOMMENDED FOR APPROVAL

**APPLICATION NO:** 17/0407/10 (CHJ)  
**APPLICANT:** DR Real Estate Ltd  
**DEVELOPMENT:** The refurbishment and retention of the ground floor retail unit (A1), conversion of first floor and erection of 3 additional floors for residential accommodation (C3) (31 one bed flats, 13 two bed flats), retention of basement for car parking, and associated works.  
**LOCATION:** FORMER MARKS AND SPENCER, 100-102 TAFF STREET, PONTYPRIDD, CF37 4SL  
**DATE REGISTERED:** 20/09/2017  
**ELECTORAL DIVISION:** Town (Pontypridd)/Graig

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**RECOMMENDATION:** Approve.

### REASONS:

The extension of the building will improve the architectural quality of the existing building and will deliver an enhancement of the overall street scene and, by this improvement will enhance the character of the Conservation Area.

The introduction of flats will add vibrancy to the town centre at all times of the day and will compliment a number of town centre uses, such as pubs, clubs and restaurants that operate outside of normal business hours.

The proposed refurbishment of the retail premises will have a positive impact on the vitality and viability of the town centre its approval will enhance the attractiveness of the premises in securing a future retail tenant.

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### REASON APPLICATION IS REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Service Director of Planning.

### APPLICATION DETAILS

The proposal involves

- (a) The refurbishment of the existing retail premises
- (b) The erection of three additional floors for residential accommodation (31 one bedroom flats and 13 two bedroom flats)
- (c) The retention of the existing basement area for car parking (13 spaces in association with the 2 bed flats) and associated works.

The basic arrangement of the building, as proposed, will consist of the following:

- Basement Level – Car Parking (plus refuse bin and bicycle storage)

- Ground Floor Level - Retail
- First Floor Level – Residential
- Second Floor Level – Residential
- Third Floor Level – Residential
- Fourth Floor Level - Residential

While the works proposed by the application are substantial, the footprint of the building will not change.

Pedestrian access to both the retail unit and the flats will be from Taff Street. Vehicular and Service access to the flats and retail store will be from the existing access from the adopted lane (leading to the pedestrian access to the Park).

The existing building provides 2335 sq.m. of internal floor-space. The proposal will provide a net additional gross floor-space of 1930 sq.m. resulting in a total (internal) floor-space of 4305 sq.m.

It is understood that the applicant has been in discussion with a Housing Association however, Committee is advised that the “tenure” of any given residential development is not, of itself, a material planning consideration and that the development proposes 44 one and two bedroom flats and should be considered on this basis. Regardless of the proposed tenure, the LDP will require a minimum of 20% of the accommodation to be “affordable” (in accordance with the Councils SPG).

The planning application was also accompanied by a Design & Access Statement (DAS), a Flood Risk Assessment (FCA) and an Air Quality and Noise Assessment.

Due to the scale of the application the proposal was also the subject of the statutory Pre-Application Consultation (PAC) process. As part of this process the applicant engaged with the Pontypridd Town Council, Local Councillors and the community, as well as a number of statutory consultees.

The findings of this exercise were collated and a PAC Report was also submitted with the application.

### **SITE APPRAISAL**

The application site is the former Marks & Spencer store on Taff Street. .

The site is located to the southern end of the town centre of Pontypridd along the main shopping area.

The site comprises a two storey building fronting Taff Street. The site slopes so as to have a substantial basement level (the former Food Hall). The building has an unusual “L” configuration which may not be immediately apparent when viewed from inside the store or on the surrounding street / park.

While the building occupies an important and prominent site within the Town Centre the building is of no particular architectural merit although the site itself falls within the Pontypridd Town Centre Conservation Area.

The surrounding buildings are predominantly retail / commercial in use although some residential uses are to be found on the upper floors of nearby buildings.

Taff Street is partially "pedestrianised" with access for (certain) vehicles being restricted at certain times of the day.

A bus stop (with benches and other street furniture) is located immediately outside the store.

The River Taff runs parallel to the site's eastern boundary which adjoins Ynysangharad Park. The River Rhondda runs under the main (formerly ladies wear and food store) part of the building

The principal access is onto Taff Street where the unit's shop front is located. A service yard is located to the site of the building along a carriageway shared with a pedestrian access to the Park.

The site lies within close proximity to Pontypridd Railway Station and Pontypridd Bus Station.

The site also lies in close proximity to the Taff Trail.

The entire building is currently vacant and has been since September 2015 (the closure of Marks & Spencer itself).

## **PUBLICITY**

As part of the application process 22 individual properties were notified of the application by letter. Notices were also placed in the vicinity of the application site (along Taff Street and in Ynysangharad Park) in addition to a Notice being placed in the press.

As a result of this exercise one letter has been received from Pontypridd Town Council.

The material planning considerations contained within this correspondence have been summarised for Committee's convenience:-

- Observations made in respect of an over saturation of residential uses within the town, public safety in respect of increased vehicular traffic as a result of the proposed use and, that concern is expressed on the implications for parking for the area as a whole. A desire to see a retailer of similar character to M & S is also expressed.

While not specifically relating to this application two other letters were received in respect of a similar (in terms of use) application to change the former bingo hall into 55 flats. The concern related mainly to noise and the potential conflict between the proposed residential uses and the late nights activity premises within the town. For completeness, this issue has also been considered as part of this application.

Concerns have also been expressed about the potential for conflict between pedestrians entering the Park and vehicles accessing the basement area of the M & S building for parking in association with the flats.

## **PLANNING HISTORY**

None relevant to the consideration of this application although Members may wish to note that the applicant has also submitted a similar scheme to that currently being proposed but for 25 flats not the 44 proposes as part of this application.

## **CONSULTATION**

In addition to the above, the following consultations have been undertaken. Again, the respective responses have been summarised for Committee's convenience.

RCT Transportation Section – no objection.

RCT Public Health & Protection – no objection.

RCT Countryside – no objection.

RCT Drainage – no objection.

NRW – no objection.

Dwr Cymru / Welsh Water – no objection.

Statutory Undertakers (Utility Providers) – advise on the location of apparatus.

South Wales Police (Crime Prevention) – have made a number of technical suggestions and would welcome the opportunity to discuss “secure by design” options with the developer.

## **POLICY CONTEXT**

### **LDP**

#### **Proposals Map**

The site is:

- within the settlement boundary of the Principal Town of Pontypridd
- within the town centre of Pontypridd
- within the retail centre of Pontypridd
- within the primary retail frontage of Pontypridd
- partly above a site of importance for nature conservation

#### **Constraints Map**

The site is:

- within a C2 flood risk zone
- within Pontypridd Town Centre Conservation Area



- adjacent to the essential setting of Ynysangharad War Memorial Park registered historic park
- adjacent to Pontypridd Town Centre Air Quality Management Area

### Core policies

**Policy CS2** promotes sustainable growth in the South that benefits Rhondda Cynon Taf as a whole. In particular, CS2 supports:

- Residential development with a sense of place that respects the character of principal towns (1)
- Development within settlement boundaries (2)
- Reuse of buildings (2)
- Large-scale regeneration schemes in Pontypridd (3)
- Sustainable transport (6)
- Protection of built heritage (7).

**Policy CS5** requires the provision of affordable housing in new housing schemes.

### Area-wide policies

**Policy AW1** defines the sources of the housing land supply, which include:

- Unallocated land within the settlement boundaries of Principal Towns (3)
- Conversion of suitable structures (5).

**Policy AW2** promotes development in sustainable locations, which include:

- Sites within settlement boundaries (1)
- Sites where development would not conflict with adjoining uses (2)
- Sites with good accessibility by sustainable transport (3)
- Sites with good access to key services and facilities (4)
- Sites in a C2 flood risk zone where highly vulnerable development can be justified as necessary to assist the regeneration of a Principal Town, and flood consequences would be acceptable (5)
- Sites where development would support the role and functions of the Principal Towns (6)
- Sites well related to utility provision (8).

**Policy AW5** gives amenity and accessibility criteria for new development.

**Policy AW6** gives design and placemaking criteria for new development.

**Policy AW7** requires development impacting on conservation areas to preserve or enhance the character and appearance of the site.

**Policy AW8** requires development not to harm SINC unless mitigation is provided.

**Policy AW10** requires development not to harm public health or local amenity because of a range of public health risks, including air pollution (1), noise pollution (2) and flooding (8).

**Policy AW11** gives criteria for development involving alternative uses for retail units in retail centres.

Strategy Area policies

**Policy SSA1** gives 8 criteria for residential and commercial development in the town centre of Pontypridd:

- Reinforces the role of Pontypridd as a Principal Town;
- Respects the culture and heritage of Pontypridd;
- Is of a high standard of design and makes a positive contribution to the townscape;
- Contributes to the enhancement of Ynysangharad Park;
- Integrates positively with the existing built form;
- Promotes opportunities for new retail, tourism and leisure development;
- Promotes walking and cycling;
- Promotes accessibility to services by sustainable transport.

**Policy SSA2** proposes pedestrianisation of Taff Street.

**Policy SSA11** sets out a minimum density for residential development of 35 dwellings per hectare.

**Policy SSA12** states that the Council will seek provision of 20% affordable housing in schemes of 5 units or more.

**Policy SSA13** gives 5 criteria for housing development inside settlement boundaries, of which the relevant 2 are:

- The proposed development is accessible to local services by a range of modes of sustainable transport, on foot or by cycle;
- The proposed development does not adversely affect the provision of car parking in the surrounding area

**Policy SSA16** supports retail development that maintains or enhances Pontypridd retail centre's position as a Principal Town retail centre.

**Policy SSA17** supports new and improved retail facilities in Pontypridd retail centre subject to 5 criteria, of which the relevant 3 are:

- The proposed use will provide a direct service to visiting members of the general public and generate sufficient day time and evening pedestrian activity to avoid creating an area of relative inactivity in the shopping frontage;
- The proposal does not prejudice the effective use of upper floors, retaining any existing separate access to upper floors; and

- The proposal will retain or provide a shop front with a display function and entrances which relate well to the design of the host building and to the streetscene and its setting, in terms of its materials, form and proportion.

### **SPG**

- Design & Placemaking
- Historic Built Environment
- Design in Town Centres
- Affordable Housing
- Nature Conservation
- Access, Circulation & Parking
- Shopfront Design
- Flats
- Employment Skills

### **National Planning Policy**

#### **Planning Policy Wales 9**

4.9.1 – preference for use of previously developed land over greenfield land.

4.11.2 – good design benefits the environment, combats climate change, attracts business and investment, promotes social inclusion and improves quality of life.

5.3.11 – non-statutory designations such as SINC should not unduly restrict acceptable development.

5.5.11 – the presence of a protected species on a site is a material consideration in planning.

6.5.20 – general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area.

6.5.26 – parks and gardens and their settings included in the register of historic parks and gardens in Wales should be protected and conserved.

7.2.2 – economic benefits associated with a proposed development should be understood.

7.2.4 – mixed-use development should be promoted in settlements.

7.6.1 – positive and constructive approach to applications for economic development should be taken.

7.6.3 – employment and residential uses can be compatible – both amenity and economic development opportunities should not be unduly compromised.

9.2.14 – the need for affordable housing is a material consideration.

9.3.4 – new housing development should not damage an area's character and amenity.

10.1.13 - opportunities to live in retail and commercial centres, combined with their good public transport links, make them very sustainable places.

10.1.5 - retailing (A1 uses) should continue to underpin retailing and commercial centres.

**TAN 1** - places considerable weight on the need to increase housing land supply where the housing land supply is less than 5 years.

**TAN 15** - states that highly vulnerable development should not be considered or permitted in Zone C2.

### **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.

The principal material planning considerations in the determination of this application are (in no order of importance):

- **the refurbishment of the existing retail unit**
- **the supply of housing within the County Borough**
- **transportation issues and highway safety**
- **the compatibility of the residential use with nearby town centre type businesses (including noise and amenity)**
- **air quality**
- **flood risk**
- **design, especially in relation to the setting of the Conservation Area and the Ynysangharad War Memorial Park.**
- **ecology**
- **the retail use**

**The refurbishment of the existing retail unit**

The development proposes the refurbishment of a retail unit that has been vacant since September 2015. It lies in a Principal Town Centre, in an established retail zone and has a primary retail frontage and, accordingly complies well with development plan policies for the location of retail development.

The proposal involves the loss of the former basement food hall from retail use, but as this was not a separate independent retail unit, no loss of a retail unit is proposed, therefore policy AW11 is not engaged (which seeks to prevent the loss of retail units).

It is considered that the advantages of providing a modernised retail unit outweighs the disadvantage of a reduction in the overall retail floor-space (in a configuration that would not suit all retailers) and provides the optimum opportunity to secure a new retailer to these premises. .

### **The supply of housing within the County Borough**

The 2017 housing land supply in Rhondda Cynon Taf is in shortage at 1.3 years, so that considerable weight should be given to the opportunity to increase the housing land supply. Grant of planning permission would make a modest but meaningful contribution to the 5-year housing land supply.

The LDP requires that a minimum of 20% (9) of the 44 units should be made available as “affordable” units. The “affordable housing” SPG is a relevant material consideration in the determination of this application.

The provision of 44 flats in a Principal Town, close to rail, bus and cycle routes (Taff Trail) and close to facilities and amenities also complies well with policies for the location of residential development and is considered to be one of the most sustainable locations available for housing in the County Borough

The reuse of a prominently-sited building that has been vacant for over 2 years also complies well with policies that give priority to recycling of previously developed land over development of “greenfield” sites.

### **Design (especially in relation to the setting of the Conservation Area and the Ynysangharad War Memorial Park).**

The proposal involves adding two storeys on the Taff Street frontage and three storeys on the side facing the Park.

The applicant proposes a modern glazed frontage to the retail unit at ground floor level. At first floor and above the facade will include large glazed windows and a rendered finish with grey metallic cladding being provided at the third and fourth level. Members are advised that a plan showing the elevations will form part of the presentation materials at Committee.

The appearance of the increased bulk of the building needs to be considered acceptable under policies for sustainable growth (CS 2), conservation areas (AW 7), essential setting of the registered historic park (AW 7) and regeneration of Pontypridd town centre (SSA 1).

In respect of the mass of the new building, the increased height in Taff Street would be perceived in the context of the visually dominant former Stardust Bingo Hall (former County Cinema) and tall buildings to the north. Discussions have taken place with several prospective developers in respect of the bingo hall and each scheme discussed has involved either its retention (involving substantial alteration and modernisation) or its redevelopment with a building of similar or increased height. Therefore, the increased scale of the proposed development would likely remain to be seen in the context of a higher building and, as such is considered to be acceptable in this respect.

The increased height facing the War Memorial Park is mitigated by the improvement in quality of appearance of what is currently a drab and uninspiring element of the setting of this historic park. The redevelopment of the building is considered to significantly improve the vista when viewed from the Park and is therefore considered an acceptable addition that will positively enhance the setting of the Park.

The building is also situated within a Conservation Area although is not Listed or afforded any statutory protection based on its architectural quality. Although the alterations proposed to the former M & S are contemporary in its design and materials, it is not considered that this will necessarily detract from the historic environment.

The proposed outlook to the Taff Street elevation is simple and it is not trying to compete with the other more historic and architecturally more interesting buildings on Taff Street and its environs and it is not considered to be detrimental to the setting of any Listed Building or the Conservation Area.

### **Transportation issues and highway safety**

The Council's Transportation Section has advised that the proposed development (as a whole) has a parking requirement of 67 spaces. The provision of 13 spaces leaves a shortfall of 54 spaces and is a cause for concern

As the site is so well-located in relation to the railway station, bus stops and cycle routes, and in walking distance of town centre shops and services, future residents are likely to make use of sustainable means of transport. The location is considered to be one of the most sustainable available within the County Borough.

Equally, the retail unit will be highly accessible by sustainable means of transport. Therefore, the proposal complies well with policies that promote the use of sustainable transport.

The location (within Taff Street) is also subject to vehicle prohibition between the hours of 11.00 and 15.00 and is controlled by a rising bollard. There are some exceptions to this prohibition that enable the local bus service and some businesses that have a genuine need for access (such as banks, pharmacies, refuse lorries, etc.) to gain entry.

The Access, Circulation and Parking SPG is a relevant material consideration.

The basement plan shows 13 parking spaces, 11 in the former food hall. It is acknowledged that this provision could lead to pressure for rights or permissions to drive through the pedestrian zone during the restricted hours (which could undermine

the regeneration objective of policy SSA 2) however other residential uses are situated within Taff Street and have co-existed with the restricted vehicular access provisions without any significant issues.

The Council's Transportation Section has assessed any potential impact from the development and has offered no objection to the proposed scheme although have recommended that the access to the basement parking area should be widened to 4.5 metres to allow two cars to pass each other and remove the need for vehicular reversing movements. It is considered that this can be achieved through a suitably worded condition.

As a result of this development it could be argued that it could lead to an increase in vehicular movements through the pedestrian zone in restricted hours. Committee is advised that the restrictions in place are made by a Traffic Order and any change to that Order would be the subject of a separate procedure under the respective Highways Act and it is not proposed as part of this development.

Concern regarding the potential for conflict between pedestrians looking to access the park and residents looking to access the parking spaces beneath the flats is understandable however the restrictions in place mean that the ability to access the parking spaces will be limited and at all other times of the day there will not be are more significant vehicular activity along Taff Street than currently exists when it is open to both vehicles and pedestrians. A condition requiring the access into the building to be widened will make entry / exit safer.

While construction traffic would need to be carefully managed it is considered that this can be controlled through a suitably worded condition.

Similarly, there is some concern that the development of the Taff Vale site, the redevelopment of the YMCA, the redevelopment of the former Marks & Spencer building and the potential redevelopment of the former Bingo Hall may have significant impact on accessibility through the Town Centre, the impacts of these developments can be mitigated through the use of an appropriately worded condition and the use of highway legislation. While there will inevitably be some impacts, the town centre is seeing a significant level of inward investment that can only be good for the vitality and viability of the town at a time when many other town centres within the country are in a state of decline.

### **Flood risk**

The application was accompanied by a Flood Consequence Assessment

The sites lies immediately adjacent to the confluence between the Rivers Taff and Rhondda and, as such, is located within a C2 flood zone (as designated by NRW's Development Advice Maps (DAMs))

The former food hall is known to have flooded in the 1990s. As the "highly vulnerable" development is proposed at higher levels, there should be no immediate danger to residents, provided there is a safe escape route.

NRW have assessed the FCA and are satisfied that the development will not have any significant impacts on safety / risk of flooding and complies with the guidance set out in A1.14 and A1.15 of TAN 15 (Development and Flood Risk).

## **Ecology**

The River Rhondda is a SINC and there is a potential for there to be protected species under the building (which, in part, is cantilevered over the river).

The proposal involves building upwards rather than doing works within the river however it is likely that there may be some potential for impact within this ecologically sensitive area. It is therefore proposed to include a condition which has regard to the potential impact during the construction period.

## **Air Quality**

The application site is adjacent to the Air Quality Management area but not actually in it. Due to its close proximity, the applicant submitted an appropriate assessment during the course of the application. This assessment was reviewed by the Council's Public Health & Protection Service and no objections were raised in respect of the development.

## **The compatibility of the residential use with nearby town centre type businesses (including Noise and Amenity)**

As the development proposes a significant amount of residential use in a town centre location, there is the potential for this use to be in conflict with uses such as pubs, clubs and restaurants which primarily operate during the evening and early hours of the morning.

Concern was expressed by some local businesses that complaints by residents of the proposed development could mean that their ability to operate may be affected in the event of a complaint raised in respect of noise. In light of these concerns, the applicant was requested to undertake a Noise Assessment which took into account the potential for conflict.

Following the submission of the assessment, the Council's Public Health & Protection Service have advised that there is no objection to the scheme as proposed and have suggested, purely as a recommendation, that the applicant considers installing triple glazing to some windows to minimise any residual risk.

In respect of wider issues it is well acknowledged in Planning decisions that those people who choose to live in town and city centre locations cannot expect the same levels of amenity as those who choose to live in the suburbs and urban fringes. The introduction of additional residential units will enhance the vitality and viability of the town centre by bringing additional activity to the area at times when, traditionally, these areas would be devoid of vibrancy. These flats would help support the pubs, clubs, restaurants and shops within the proximity.

South Wales Police have also responded in respect of the development and have offered a number of technical requirements that the applicant should consider in respect of designing out crime. A copy of this letter has been passed to the applicant.

## **The Existing Retail Use**



While the proposal includes the refurbishment of the existing retail store, the premises itself still has an authorised (lawful) A1 retail use that, of itself, is not the subject of this application.

While everyone would want to see another high profile retailer take up the space, there is nothing that can be done (in Planning terms) to influence this decision and it is up to the owners of the building as to who they wish to sell/rent this space to.

Some concerns have been raised about the loss of the basement area to car parking. While the potential does exist for a large retailer to want more retail space that would be available after the parking area has been created, there is little evidence that there has been any demand for a unit of this size since the closure of Marks & Spencer. Notwithstanding this application, it has always been open to the owners of this building to sell / rent the unit to one or more retailers without the need for planning consent (save for the relatively minor application of a new shop front)

## **CIL**

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 CBCs Residential Charging Zones, where there is a liability of £40 / sq.m. for residential development.

The CIL (including indexation) for this development is expected to be £107,698.74.

However, social housing relief may be claimed on the social housing element of the development.

## **CONCLUSION**

The development represents an exciting new lease of life for the former Marks & Spencer building. Its construction represents a significant investment in the future of Pontypridd Town Centre and will bring added viability and vitality to the area. The design will enhance both the Conservation Area and the views from within Ynysangharad Park.

The building is in a highly sustainable location and should appeal to a wide range of prospective residents and is one of a number of developments proposed / under construction / completed within the Town Centre area that would seem to reverse the decline that is characteristic of many town centres throughout the country. While there may be an element of disruption during the respective construction periods, it is considered that the benefits of this level of investment in the town outweighs any short term implications that may be a consequence. Accordingly the following recommendation is made:

**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. Building works shall not be commenced until such time as samples of all external materials have been submitted to, and approved in writing by, the local planning authority. All materials used shall conform to the samples as may be 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 accord with Policies AW5 & AW6 of the Rhondda Cynon Taff Local Development Plan.

3. 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.

4. Prior to commencement of development a scheme shall be submitted to, and approved in writing by, the local planning authority for the provision of 20% (9 units) affordable housing. The scheme shall include the location of the units to be provided, the type of tenure proposed (in accordance with the Council's SPG on Affordable Housing) and the mechanism to secure the type of affordable housing in perpetuity. The development shall be carried out in accordance with the details approved as part of the scheme.

Reason: To comply with Policy SSA 12 of the Rhondda Cynon Taff Local development Plan.

5. No development shall take place until a **Wildlife and River Protection Plan** has been submitted and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing Protection Zones where construction activities are restricted and where protective measures will be installed or implemented;

- b) Details of protective measures and timing (both physical measures and sensitive working practices) to avoid impacts during construction;

- c) Details of precautionary species measures for bats and birds

- d) Details of any riverside vegetation clearance

- e) Details of wildlife sensitive lighting proposals for construction and operation

f) Details of water pollution control measures

g) invasive plant control

Persons responsible for:

i) Compliance with legal consents relating to nature conservation;

ii) Compliance with planning conditions relating to nature conservation (Ecological Clerk of Works);

iii) Installation of physical protection measures and management during construction;

iv) Implementation of sensitive working practices during construction;

v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;

vi) Specific species and Habitat Mitigation measures;

vii) Provision of training and information about the importance of the 'Protection Zones' to all construction personnel on site.

Reason: To protect the integrity of the SINC and its wildlife and to comply with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted plans, full engineering design and detail of the proposed vehicular access to the basement parking area measuring 4.5m in width shall be submitted to and approved in writing prior to the commencement of works on site. The approved details shall be implemented prior to beneficial occupation of the development.

Reason: To ensure the adequacy of the proposed development, in the interests of highway and pedestrian safety.

7. Notwithstanding the submitted plans, full engineering design and detail of the proposed bin storage area in basement shall be submitted to and approved in writing prior to the commencement of works on site. The approved details shall be implemented prior to beneficial occupation of the development.

Reason: To ensure the adequacy of the proposed development, in the interests of highway and pedestrian safety.

8. Notwithstanding the submitted plans, full engineering design and detail of the proposed bin storage area in basement shall be submitted to and approved in writing prior to the commencement of works on site. The approved details shall be implemented prior to beneficial occupation of the development.

Reason: To ensure the adequacy of the proposed development, in the interests of highway and pedestrian safety.

9. The parking area in the basement shall not be used for any other purpose other than parking ancillary and incidental to the use of the residential element of the development.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety.

10. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for,

- a) the means of access into the site for all construction traffic,
- b) the parking of vehicles of site operatives and visitors,
- c) the management of vehicular and pedestrian traffic,
- d) loading and unloading of plant and materials,
- e) storage of plant and materials used in constructing the development,
- f) wheel cleansing facilities,
- g) the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

No HGV deliveries shall take place during the construction period between the hours of 11:00 am to 15:00 Pm to and from the site.

Reason: In the interests of the safety and free flow of traffic.

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**APPLICATION NO:** 17/0498/10 (MF)  
**APPLICANT:** Tracscare Ltd  
**DEVELOPMENT:** Proposed development of specialist care facility for vulnerable adults between the ages of 18 and 65.  
**LOCATION:** GELLI CEIRIOS CARE HOME, FFORCHAMAN ROAD, CWMAMAN, ABERDARE, CF44 6NH  
**DATE REGISTERED:** 01/06/2017  
**ELECTORAL DIVISION:** Aberaman South

**RECOMMENDATION:** Approve

**REASONS:**

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