



**PLANNING & DEVELOPMENT COMMITTEE**

**8<sup>TH</sup> MARCH 2018**

**REPORT OF THE SERVICE DIRECTOR, PLANNING**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below

**APPLICATION NO:** 17/1374/10

**APPLICANT:** TEDS Construction Limited

**DEVELOPMENT:** The conversion of the former Exchange Building, Aberdare, including change of use from offices (B1) to residential (C3) to provide 7 affordable flats, and associated external alterations.

**LOCATION:** THE EXCHANGE, GRIFFITH STREET, ABERDARE, CF44 7LW

**DATE REGISTERED:** 27/12/2017

**ELECTORAL DIVISION:** Aberdare East

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**RECOMMENDATION:** Approve

**REASONS:**

The current proposal presents an opportunity to bring back into beneficial use a vacant building to provide much needed residential accommodation in a highly sustainable location

The principle of the proposed development is acceptable in planning policy terms and the proposed changes are considered acceptable in the context of all other material planning considerations.

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**REASON APPLICATION REPORTED TO COMMITTEE**

- The proposal is not covered by determination powers delegated to Service Director Planning;
- Three or more letters of objection have been received;

## **APPLICATION DETAILS**

The current planning application seeks planning permission for the conversion of the Exchange Building to a total of 7no. Self contained flats. The accommodation will comprise 5no. one bedroom flats and 2 no. two bedroom flats. One of the two bedroom flats will be developed over two of the floors between the ground floor and lower ground floor on the Monk Street side of the building. The building was subject of a programme of renovation in 2015-16 and consequently no alterations to the external fabric of the building are proposed. Access to the property will be derived from the existing openings on Monk Street and Griffith Street as existing though the creation of flats will require internal reconfiguration of the building.

The applicants have indicated that no car parking provision will be made to serve the proposed development.

## **SITE APPRAISAL**

The exchange building is located on the junction of Monk Street and Griffith Street and lies immediately north west of the Black Lion PH. The property is built over two full floors with a smaller lower ground floor on the lower side towards the bottom of Monk Street reflecting a difference in levels locally. The principal street elevations face Monk Street and Griffith Street while the side and rear elevations face the side elevation of residential property on the south side of Griffith Street and the Black Lion respectively.

The application site lies at the edge of the town centre with the area to the north and east of the property being commercial in nature containing a mixture of shops pubs offices and institutional buildings while the area to the south and west of the application property is predominantly residential in character consisting of for the most part traditionally built residential terraced properties.

The site has frontage on to both Griffith Street and Monk Street both of which given the town centre location are heavily trafficked, (particularly Monk Street as it is also the principal road linking Aberdare with the Rhondda Fach).

## **PLANNING HISTORY**

None.

## **PUBLICITY**

The application has been advertised by means of site notices and neighbour notification letters, 5no. letters of objection have been submitted expressing the

following concerns –

- Parking on Griffith Street is already restricted to residents and the area is often congested and concerns are expressed generally at the lack of any car parking to serve the proposed development.
- The proposal does not involve the provision of any additional car parking space so where will residents park?
- Additionally, the area is substantially over parked and the traffic regulation in the area regularly flouted by motorists particularly when there are no wardens in the area.
- Each new flat should be provided with two parking spaces. The old church was refused planning permission because they could not provide two new parking spaces per unit.
- The proposals have been inadequately advertised by the Council particularly as some residents in Wind Street did not receive letters advising them of the proposals for the Black Lion.
- Who will buy the flats or will they be given over to a housing association?
- Will the developers work to the building be grant assisted?
- Will the ground between the exchange building and 3 Griffith Street be given over to car parking to serve the development? If the area is to be given over to parking then the gable end of the property would need to be supported.
- More people would place more demands on local doctors' surgeries and it is impossible to get an appointment as things currently are.
- Central Aberdare already has flats on Cannon Street and on the site of the Little Theatre.
- Will extra provision be made for sewage water and street lighting?
- Street lighting in the area is progressively dimmed through the night and this has led to some residents installing their own external lighting.

## **CONSULTATION**

Highways – no objections subject to conditions.

Drainage – have no comment to offer with regard to the proposed development on

the basis that there is no increase in impermeable surface area that would affect flood risk management or drainage arrangements.

Public Health & Protection – no objection subject to conditions.

Dwr Cymru/Welsh Water – no objections subject to conditions.

Western Power Distribution – no response received.

Wales & West Utilities – raise no objections to the proposed development and indicate the location of their apparatus in the vicinity of the application site and appropriate safe working practices to be adopted when working in proximity to it.

Countryside Section – no objections.

Waste Services – no objections.

## **POLICY CONTEXT**

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

**Policy CS1** – Places an emphasis on building strong and sustainable communities in the northern strategy area.

**Policy AW1** – outlines strategies used to meet housing land requirements including the provision of affordable housing and addressing dereliction through the reuse and refurbishment of vacant buildings and the promotion of the principal town of Aberdare.

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

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

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

**Policy AW11** – requires that alternative uses for employment sites will only be permitted where the site has been subject to marketing without success and the proposed development would not prejudice any adjacent employment land.

**Policy NSA12** – requires housing development within the settlement boundary to be accessible to local services by a range of sustainable transport modes without adversely affecting the highway network.

**Policy NSA13** – Encourages the conversion of large buildings to residential use where they are within the settlement boundary, make a valuable contribution to the townscape of the settlement and there is no other economically viable use for the building.

## **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 6 (Conserving the Historic Environment),  
Chapter 7 (Economic Development),  
Chapter 8 (Transport),  
Chapter 9 (Housing),  
Chapter 12 (Infrastructure and Services),

set 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 2: Planning and Affordable Housing;  
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  
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.

### **Main Issues:**

The main considerations in the determination of this planning application are the acceptability or otherwise of the principle of development in planning policy terms,

the impact that the proposed development will have on the character and appearance of the conservation area and town centre and the effect of the proposed use on existing residential amenity and privacy. The effect of the proposed development on the local highway network is also a material planning consideration in this case.

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

Whether or not the proposed development is acceptable in principle turns mainly on the issue of compliance with planning policy. The establishment of residential use in the building is acceptable given that since its refurbishment and subsequent extensive marketing as offices the property remains vacant. Furthermore, as well as bringing the currently vacant building back into beneficial use, the consequence of the proposed use would be to add to the vitality and viability of Aberdare as a principal town by introducing residential use within it. This positive impact is also compounded by the fact that residential use of the building will add to retail footfall locally improving the viability of the local retail offer. The effect on the conservation area in terms of appearance at least would be neutral as the recent refurbishment of the building means that its outward appearance would only be subject to minor alterations to some of the windows and little else externally.

Subject to the proposals being satisfactory in terms of the other key determining factors identified above and the proposals reflecting favourably in terms of the planning policies that affect these key issues there is no objection in principle to the proposed development.

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

Due to its recent refurbishment the external appearance of the building already contributes positively to the character and appearance of the area. However the prevention of further deterioration and the maintenance of the appearance of the building in its current state can only be maintained if it is put to a useful purpose that justifies ongoing maintenance. The use of the building for housing will fulfil that purpose maintaining the character and appearance of this prominent building to the benefit of the wider area. Consequently the proposed development is compliant with the aspects of Local Development Plan policies CS1, AW5, AW6, and NSA13

### **Impact on residential amenity and privacy**

As mentioned in the introduction, existing residential development lies overwhelmingly to the south west of the application site and this combines with the general arrangement and layout of the building both existing and proposed to make the impact of the re use of the building minimal in terms of the impact on privacy though the gardens of properties on Griffith Street would now be overlooked by residential rather than office windows. This though is considered acceptable in planning terms given the history and the general arrangement proposed. In terms of the impact on general amenity are concerned, the positive impacts outlined in respect of the improvements to the character and appearance of the area are also reflected in the improvement to the amenity of the locality generally inasmuch as the

bringing back into use of the currently vacant building will ensure that amenity standards can be maintained in the long term. Consequently the proposed development is compliant with the aspects of Local Development Plan policies AW5, AW6, and NSA 13.

### **Access and highway safety**

The proposed development requires careful consideration of issues relating to access and highway safety of particular relevance in this case are site location access and car parking provision. Indeed the lack of car parking is a key concern of local residents opposing the current application. However the proposed development also offers the opportunity to mitigate the impact of the proposed development through extending the existing resident parking bay on Griffith Street and through the provision of cycle storage to serve the proposed development. This taken together with the existing traffic regulation in the area on Griffith Street and Monk Street and the potential for residents to apply for limited resident parking permits in the surrounding streets and the sustainable location of the proposed development means that on balance and subject to conditions the proposed development is considered acceptable in highway terms.

### **Other Issues:**

The following concerns have been taken into account in considering the application, though they are not the key determining factors in reaching the recommendation.

One of the objectors has raised the issue of the capacity of utility services to cope with the additional loading that allowing this development could bring however the statutory consultees have not raised any concerns in this regard.

Similarly it is not considered that the numbers involved would significantly impact on the provision of health services in the town.

The advertising of the application has been undertaken in accordance with statutory requirements for a development of this kind.

Who will buy the flats, whether or not they will be given over to a housing association and whether the development will be grant assisted or not are not material considerations in the determination of the planning application. Similarly the existing extent of flat provision in the town centre is not an issue in the provision of more, particularly given the latent demand in the area for affordable housing.

The fact that the Council has a policy of dimming its street lights is not a material planning consideration.

### **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 and therefore no CIL is payable.

## **Conclusion**

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the conversion and re use of empty buildings for residential purposes and with the policies that relate to the promotion of the Aberdare town centre and the protection of its associated conservation area. Despite the concerns expressed by residents with regard to parking provision the proposed development is acceptable with regard to this issue and in respect of all other material planning considerations and as such the application is recommended the support of Committee

## **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 consent hereby granted relates to the following plans

- Site location plan drawing no L662A130
- Existing floor plans drawing no. L662A131
- Existing elevations drawing no. L662A132
- Proposed ground and first floor drawing no. L662A133
- Proposed first and roof plan drawing no. L662A134
- Proposed elevations drawing no. L662A135

Reason: For the avoidance of doubt as to the approved plans.

3. The residential units provided in accordance with the approved scheme shall meet the definition of affordable housing in annexe B of TAN2 or any future guidance that replaces it.

Reason: To define the nature and extent of the consent hereby granted in so far as it relates to the provision of residential units.

4. Building operations shall not be commenced until samples of the external finishes proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform



to the sample(s) 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. Prior to the use, hereby permitted, commencing a scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority. The building/premises shall thereafter only be operated in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of adjoining properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Details of a system to prevent waste cooking oil, fats and grease and solid waste from entering the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use of the premises commences and then shall operate in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Construction works on the development shall not take place other than during the following times:
  - i) Monday to Friday 0800 to 1800 hours;
  - ii) Saturday 0800 to 1300 hours;
  - iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. The residential development hereby approved shall not be occupied until space has been laid out within the site for secure cycle spaces in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall not thereafter be used for any purpose other than the secure storage of cycles.

Reason: To promote sustainable modes of travel in the interests of highway safety.

9. The development hereby approved shall not be occupied until amendments to the existing Traffic Regulation Order (TRO) along Griffith Street to provide for additional residents permit parking has been completed unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the deliverability of traffic management measures and resident parking in the interests of highway safety.

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