



PLANNING & DEVELOPMENT COMMITTEE

7 JANUARY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/1265/10 (KL)
APPLICANT: Sohail
DEVELOPMENT: Conversion of an existing commercial building into 7 apartments and smaller street facing commercial unit (Use Class A2)
LOCATION: LLOYDS TSB, 80 COMMERCIAL STREET, MOUNTAIN ASH, CF45 3PP
DATE REGISTERED: 11/11/2020
ELECTORAL DIVISION: Mountain Ash West

RECOMMENDATION: Approve, subject to conditions

REASONS: The application site is located in a highly sustainable town centre location where residential flats above shops are generally considered to be acceptable.

The proposal would provide an opportunity to bring a currently vacant building back into beneficial use. The building would largely be retained in its current form with only minor external alterations and refurbishment works proposed. The overall visual appearance of the building and subsequently that of the surrounding area would therefore be improved.

The building would not be subject to any construction works with only minor alterations to the external layout. It is therefore not considered that the amenity and privacy of existing surrounding properties would be adversely affected. Furthermore, the residential use of the site would be compatible with the A2 use at ground floor and with the residential properties that are located to the rear of the site.

The quality of the accommodation proposed is considered to be acceptable and the health and well-being of prospective future occupiers would not be adversely affected.

Whilst no off-street parking would be provided at the site, the site is located within town centre location with good access to a range of sustainable transport options and to a number of key local services.

As such, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development and it is therefore recommended for approval, subject to conditions.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development

APPLICATION DETAILS

Full planning permission is sought for the conversion of the first and second floors of the former Lloyds TSB building in Mountain Ash to 7 self-contained flats. The existing A2 commercial use at the ground floor would be retained, albeit at a reduced scale.

The conversion would predominantly be undertaken through a number of internal alterations in order to facilitate a smaller commercial unit (Use Class A2) and 1 two-bedroom flat at ground floor, 3 one-bedroom flats at first floor and 3 one-bedroom flats at second floor. The only external alterations would be the replacement of one window in the front elevation with a pedestrian access door to provide access to the residential flats and the replacement of a door in the side elevation with a window.

The external appearance of the building would be refurbished, including the rendering of any exposed blockwork (side elevation), the cleaning and repair/repainting of the existing render (front and side elevations) and provision of dedicated space for new signage (front elevation). The existing windows would be retained however, the ground floor windows would be altered to include shutters.

The existing commercial unit at ground floor would be reduced in scale to provide a commercial floor area of 58m². The existing access to the front elevation of the building would be retained.

The flats would be accessed via the new pedestrian access door within the front elevation. Each flat would consist of an open plan living room/kitchen, a bathroom and either one or two bedrooms with internal floor areas varying between 38m² and 84m². The first and second floor flats situated towards the rear of the building would have a secondary access via an existing fire escape to the rear elevation. No parking is proposed as part of this proposal.

The flats would have access to two bin and bicycle storage rooms which would be located internally at ground floor level. The existing basement would be retained for storage purposes.

SITE APPRAISAL

The application site relates to a large three-storey commercial building which is located on the corner of a busy junction towards the northern end of Mountain Ash town centre. The property was most recently occupied by Lloyds TSB bank and associated offices however, it is understood that the building has been vacant for some time.

The site is located within the defined retail zone of Mountain Ash and is therefore surrounded by a number of commercial properties. However, a number of residential properties are situated to the rear of the site in Pryce Street.

PLANNING HISTORY

The following applications are associated with the application site:

13/0259	Lloyds TSB, Commercial Mountain Ash	80 Street,	Erection of multiple advertisements	Granted 03/05/13
06/2299	Lloyds TSB, Commercial Mountain Ash	80 Street,	New Bank Signage	Granted 23/01/07
98/4473	Lloyds TSB, Commercial Mountain Ash	80 Street,	Fascia and projecting signs	Granted 16/10/98

PUBLICITY

The application has been advertised by means of direct neighbour notification as well as through the erection of site notices along Commercial Street and Pryce Street. One letter of objection has been received and is summarised as follows:

- There is no need for any more commercial premises or apartment/flats in Mountain Ash;
- There are currently 11 empty commercial premises in Commercial Street and numerous empty flats above commercial premises;
- There are 2 commercial properties currently to let in Pryce Street and have been for quite some time;
- There are already a number of large residential buildings of flats/apartments that are under-occupied in Mountain Ash;
- The property is situated at a very busy crossroads in the town centre and is surrounded by double yellow lines with no current access to parking and no parking proposed;
- Pryce Street have endured continuous problems with parking – people have parked outside our property, blocking access, despite there being double yellow

lines, a dropped kerb and double gates – adding more residents will exacerbate this situation;

- Pryce Street has residential parking with allocated parking permits. The 5 allotted parking spaces are already insufficient for the number of residents in the street without adding 7 more unnecessary apartments which will have an adverse effect on the vicinity;
- The actual building works to convert these premises will undoubtedly cause major upheaval to the town centre and surrounding residents.

CONSULTATION

The following consultations have been received in relation to this application:

Flood Risk Management – No objection raised, or condition suggested

Highways and Transportation – No objection raised, or condition suggested

Public Health and Protection – No objection raised, subject to standard conditions relating to hours of operation (construction), noise, dust and waste.

Welsh Water – No objection, subject to conditions and advisory notes.

No other responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS1 - emphasis on sustainable growth by promoting residential development in locations which support and reinforce the roles of Key Settlements.

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 AW10 - development proposals must overcome any harm to public health, the environment or local amenity due to land instability, contamination, or any other identified risk to local amenity and public health.

Policy NSA2 - supports proposals for residential and commercial development within Key Settlement of Mountain Ash that support and reinforce the role of the centre as a Key Settlement, that are of a high standard of design and integrates positively with existing development, that promotes the beneficial re-use of vacant and under-used floor space, that supports the provision of local services and that promotes accessibility to services by a range of sustainable modes of transport.

Policy NSA10 – The policy stipulates that the net residential density must be a minimum of 30 dwellings per hectare, and lists criteria where lower density levels are permitted.

Policy NSA12 – The policy permits development within settlement boundaries if they demonstrate that infrastructure and car parking will not be adversely affected.

Policy NSA13 – The conversion of large buildings within the Northern Strategy Area will be permitted where there is no economically viable alternative use for the building.

Supplementary Planning Guidance

Design and Placemaking

Design in Town Centres

Nature Conservation

Access Circulation and Parking

Shopfront Design

Development of Flats

National Guidance

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

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:

Principle of the proposed development

The application seeks to convert part of the ground floor and the first and second floors of an existing commercial unit from offices to 7 self-contained residential flats. The existing commercial (A2) unit and retail frontage would be retained, albeit at a reduced scale.

The site is located within the defined settlement boundary and within the defined retail centre of Mountain Ash which is identified as a Key Settlement in the Rhondda Cynon Taf Local Development Plan. As such, the site has good access to a number of key services and facilities and is accessible by a range of sustainable transport options with both bus stops and a train station within reasonable walking distance. The site is also conducive to travel on foot and bicycle. The site is therefore considered to be situated within a highly sustainable location and the proposal would comply with the main objectives of Policy AW2.

Policy CS1 also supports residential and commercial development in locations that would support and reinforce the roles of Key Settlements. Whilst the town is predominantly characterised by retail and commercial uses, PPW 10 encourages mixed-use centres as they provide a sustainable form of living whilst also contributing to the daytime and evening economy of the centre and subsequently adding to the vitality and viability of the town. It is not considered that the residential use of the site would unacceptably conflict with the predominantly retail character of the town, particularly given that there are already a number of flats above shops along the length of Commercial Street and in the area immediately to the rear of the site.

Furthermore, Policy CS1 seeks to ensure the removal and remediation of dereliction by promoting the re-use of under used and previously developed land and buildings. As detailed earlier in this report, the application property has been vacant for some time and so the proposal would inevitably provide an opportunity to bring a vacant property back into beneficial use and improve the overall visual appearance of this prominent town-centre building.

One letter of objection has been received from a local resident that raises concern that there is no need for any further retail or residential flats in the town centre as many existing units remain empty. Whilst this may be the case, the commercial unit at ground floor is existing with the only change being a reduction in the floor area available. In

terms of the provision of additional flats, it is beyond the remit of the Planning Department to determine market requirements and it has to be assumed that the developer has carried out suitable and sufficient market research to identify a need within the area prior to going to the expense of formulating and submitting an application for planning permission

Taking the above into consideration, the principle of the proposal is considered to be acceptable subject to an assessment of the material planning considerations set out below:

Impact on the character and appearance of the area

The application site is located within a prominent location on the main junction entering the town centre from the A4059 (New Road). It is therefore highly visible when entering the town from this direction. The property has clearly been vacant for some time which is evident by its current neglected appearance. The proposal to convert and refurbish the building would therefore provide an opportunity to improve the visual appearance of the property as a whole and to provide a positive contribution to the public realm in this prominent section of Mountain Ash town centre. The proposal would not involve any significant alterations to the external appearance of the application property and its main structure and overall form would therefore be unaltered.

As such, it is considered that the proposal would have a positive impact upon the character and appearance of the application property and the wider area and the application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taff Local Development Plan.

Impact on residential amenity and privacy

The application site is located within the defined retail zone of Mountain Ash town centre in which there are a number of commercial properties. However, it is also noted that there are a number of residential properties to the rear of the site in Pryce Street and a number of residential flats above shops along the length of Commercial Street. It is therefore important to consider the impact of the proposal upon the amenity and privacy of existing residents.

As the conversion of the building would mostly involve internal construction work and only two minor alterations to the window/door layout, the development is not likely to alter the outlook of any residential properties that surround the site, except for an evident improvement to the visual appearance of the building. It is also not considered that the privacy of any surrounding residents would be adversely affected as the window openings would largely remain unchanged. The replacement window in the side elevation would be situated within a façade containing a number of other windows and so the level of overlooking would not be unacceptably increased.

It is noted that the use of the site would effectively be intensified through the provision of 7 residential units however, it is not considered that the noise and disturbance

generated by this residential use would be any greater than the existing use as a bank, which would have generated a large number of comings and goings. Furthermore, the site is located within a busy town centre location and existing residents should therefore already be accustomed to the noise and disturbance associated with the town.

In terms of the amenity and privacy of potential future occupiers of the proposed development, the Council's SPG: Development of Flats states that new flats should provide an acceptable quality of accommodation for residents. It states that flats should be of a suitable size and habitable rooms should have a reasonable outlook and level of natural daylighting and ventilations. They should also have a main entrance to the front of the building and have access to either private or communal outdoor space.

It is considered that the level of accommodation proposed is reasonable with adequate space provided within each unit for future occupiers to carry out day to day tasks. Each unit would have a number of windows within the main living areas which would ensure that a good level of natural daylight and ventilation could be achieved whilst also providing a reasonable outlook. All 7 flats would be accessed via the new pedestrian access door within the front elevation. Whilst there is a small courtyard area to the rear of the property, this appears to be accessible from the ground floor flat only and so the proposal would lack communal outdoor space. However, given the location of the building in an area which benefits from a number of public amenity spaces, it is not considered that this issue would be significant to warrant the refusal of the application.

Consequently, it is not considered that the proposal would have an adverse impact upon the amenity and privacy of existing neighbouring properties or upon the health and well-being of future occupiers. The application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan and Supplementary Planning Guidance: Development of Flats.

Access and highway safety

The application has been subject to consultation with the Council's Highways and Transportation Section with a view to assessing the potential impact of the proposal on highway safety in the vicinity of the site. Whilst it is noted that an objection has been received which raises concern in relation to parking and highway issues, the comments received from the Highways and Transportation section do not raise any objection to the proposal and no recommendations are made for the imposition of any planning conditions. The comments received are summarised as follows:

Access

The application site is located on Commercial Street (B4275) and directly located on the existing signalised junction with traffic controls preventing on-street parking to maintain free flow of traffic.

Parking

The proposal requires up-to a maximum of 17 spaces (14 no. resident spaces, 1 no. visitor space and 2 no. retail spaces). There is concern with regards to the lack of off-street car parking facilities associated with the proposal however, taking into account the existing traffic regulations in place preventing on street car parking in the vicinity of the site, the sustainable location of the site in terms of its proximity to both bus and rail stops and its location within Mountain Ash retail zone which offers a variety of local facilities which places less reliance on the private motor vehicle as the primary mode of transport, the proposal is considered to be acceptable in this regard. Furthermore, there is no space within the curtilage of the site to provide off-street parking and taking into account that the existing and proposed off-street car parking requirements are similar, it is not considered that the proposal would result in any highway issues that would significantly greater than if the building was to be re-used in its current form.

Cycle parking

The plans indicate the provision of two store rooms on the ground floor for secure cycle storage which is considered to be acceptable and goes some way to mitigate the impact of the proposal and promotes sustainable modes of travel in accordance with Planning Policy Wales 10th Edition.

In light of the above comments, the proposal is considered to be acceptable in terms of the impact it would have upon highway safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

The proposal would involve the conversion of an existing building with no construction works proposed. As such, no objection has been received from the Council's Flood Risk Management team, nor has any condition been recommended.

Ecology

The proposal would not involve any demolition works or result in any works to the existing roof and so bat surveys are not considered necessary in this instance.

Public Health

The Council's Public Health and Protection section have recommended that a number of conditions be added to any grant of planning consent in respect of building regulations, hours of construction, noise, dust and waste. These are issues that are better dealt with by separate environmental health legislation and it is therefore not considered necessary to duplicate this through the imposition of planning conditions.

Other issues raised by objector

The objector raises concern that the conversion works would result in great upheaval to the town. The works to convert the building would be undertaken over a limited period of time and any disruption would cease upon completion. The issue is therefore considered to be temporary and it would not be reason to reuse the application.

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 site is located in a highly sustainable town centre location where residential flats above shops is generally considered to be acceptable.

The proposal would provide an opportunity to bring a currently vacant building back into beneficial use. The building would largely be retained in its current form with only minor external alterations and refurbishment works proposed. The overall visual appearance of the building and subsequently that of the surrounding area would therefore be improved.

The building would not be subject to any constructions works with only minor alterations to the external layout. It is therefore not considered that the amenity and privacy of existing surrounding properties would be adversely affected. Furthermore, the residential use of the site would be compatible with the A2 use at ground floor and with the residential properties that are located to the rear of the site.

The quality of the accommodation proposed is considered to be acceptable and the health and well-being of prospective future occupiers would not be adversely affected.

Whilst no off-street parking would be provided at the site, the site is located within town centre location with good access to a range of sustainable transport options and to a number of key local services.

As such, the application is considered to comply with the relevant policies of the Rhondda Cynon Taf Local Development and it is therefore recommended for approval, subject to conditions.

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 plans and documents received by the Local Planning Authority on 11th November 2020, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 611-100: Site Plan;
- Drawing No. 611-1010: Proposed Floor Plans;
- Drawing No. 611-1011: Proposed Elevation Plans.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. During the construction phase of the development, the hours of work shall be restricted to the following:

Monday to Friday	08:00 to 18:00 hours
Saturday	08:00 to 13:00 hours
Sunday and Bank Holidays	Not at all

Reason: In the interests of the amenity of other residents in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.