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DELEGATED REPORT

Application No: P/20/0125

Site Address: 32 Victoria Street
Dowlais
Merthyr Tydfil
CF48 3RN

Development: Change of use of property to two self contained flats with associated external alterations

Case Officer: Caroline Pulley

Site Visit: 26th June 2020

Application Expiry Date: 17th August 2020

Consultation reply date expired: 17th July 2020

APPLICATION SITE

The application site relates to an end-terraced building located along Victoria Street, in Dowlais. It adjoins a residential property to the north, a coffee shop to the south and the gardens of residential properties to the west.

The application site lies within the settlement boundary – Primary Growth Area and within the local retail centre of Dowlais, as designated within the Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP).

PROPOSED DEVELOPMENT

This application seeks planning permission to change the use of the ground floor and first floor of the building to residential use in the form of two, one bedroom self-contained flats (one flat on each floor). The conversion would be undertaken within the fabric of the existing building, with no increase to its footprint. The proposal would include some external alterations including the removal of the shop front and the insertion of a white uPVC window and a door in its place and the insertion of a new ground floor window to the pine end of the property. The first floor flat is shown to be served by an existing external staircase located to the side of the property. The ground floor flat would be accessed directly from Victoria Street via the new entrance door. The site does not have any on-site parking and none is proposed with this development.

PLANNING HISTORY

There is no recent planning history relating to this property.

CONSULTATION

Planning Division's Policy Officer:

Highlights that although the property is situated within the local district centre of Dowlais, the property falls outside the defined retail boundary. As such, the policy officer advises that the proposal would need to comply with Policy SW13, which seeks to protect existing community facilities.

Engineering and Traffic Group Leader:

No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and three site notices were displayed within the vicinity of the site

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:-

TAN 4 - Retail and Commercial Development requires local planning authorities, in their development plans, to develop a local hierarchy to classify their various retail and commercial centres and to apply appropriate policies to those centres based on their characteristics.

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries

Policy SW9 – Planning Obligations

Policy SW11 – Sustainable design and Placemaking

Policy SW13 – Protecting and Improving Local Communities Facilities
Policy EnW2 – Internationally and Nationally Protected Sites and Species
Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
Policy EnW4 – Environmental Protection
Policy EcW3 – Retail Hierarchy – Supporting Retailing Provision
Policy EcW5 – Town and Local Centre Development

Supplementary Planning Guidance (SPG) Note No. 2 – Planning Obligations
Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design
Supplementary Planning Guidance (SPG) Note No.5 – Nature and Development

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are the principle of the proposed conversion, the potential impact of the development upon the character and appearance of the existing building and the surrounding area, and the potential impacts upon the privacy and amenity of neighbouring properties. The impact upon highway safety is a further consideration.

The scheme seeks to provide through the conversion of the building, two residential units arranged over the ground and first floor level of the building. The building itself is located within settlement limits and is within walking distance of a number of local amenities and facilities within the surrounding built up area of Dowlais. In this instance, the principle of a residential use at this location is acceptable under Policy SW4 of the LDP.

It is recognised that the proposed conversion would result in the loss of a retail unit. However, the property falls outside the retail boundary and as such, the use is not protected by Policy EcW5 of the LDP. Notwithstanding this, Policy SW13 states proposals which would result in the loss of an existing community facility (i.e. post offices, corner shops and public houses) will only be permitted where it can be demonstrated that the following criteria can be met.

- Alternative provision of at least equivalent value to the local community can be provided nearby, or
- It can be demonstrated that existing provision is inappropriate or surplus to the needs to the community and is no longer required, or
- It can be demonstrated that there is no longer a viable community use for the facility.

In this respect, the agent has confirmed that the laundrette business operated at a loss for many years and in March 2019, the business closed as it became unviable due to a lack of custom and financial difficulty. This claim was collaborated by a statement from the previous tenant which highlights that although the premises was let rent free, the income did not cover basic overheads (i.e. staff wages). As such, a decision was made to close the business, as it was no longer viable. While the loss of the laundrette is regrettable, it would appear from the fact that the business had to close that the facility is inappropriate or surplus to the needs of the community and is no longer required. On this basis, the proposal is deemed to be in compliance with Policy SW13 of the LDP.

Character and appearance of the area

In order to convert and subdivide the building, it is necessary to carry out alterations to the external fabric of the building. The most noticeable alteration would arise from the removal of the shop front, which does not have any architectural merit. The vast majority of the original character of the building would be retained, with the external appearance of the property remaining largely intact apart from the siting of a new entrance door and two windows, which are generally considered acceptable. It is therefore considered that the proposed re-use of the building for residential purposes would not adversely impact the character and appearance of the area and accordingly, the proposal accords with Policy SW11 of the LDP.

Residential amenity

It is not considered that the re-use of the building for residential purposes would unduly compromise the amenities of nearby residents. As detailed previously, there are no major external alterations being proposed to the form and scale of the building and arguably the use of the property for residential purposes represents the most compatible and viable option for the building that would be least disruptive to surrounding residential properties. There is a new kitchen window being proposed within the side elevation of the main building. However, this window would face onto the dividing wall and this would ensure that there is no adverse overlooking arising from this new window. It should also be noted that there have been no letters of objection or representation received as a result of the publicity exercise undertaken with the application. Therefore, the proposal accords with Policy SW11 of the LDP.

Highway safety

In order to aid in the assessment of the scheme, consultation has been undertaken with the Council's Engineering and Traffic Group Leader. In this respect, it is noted that no highway objections have been raised to the proposal. In arriving at this conclusion, careful consideration has been given to the key issues that affect this proposal including the existing established use and access, parking, proximity to local amenities and cycle parking. On this basis, it is not considered that the development would have a detrimental impact on highway safety and the free flow of traffic in the area and is compliant with the requirements of Policy SW11 of the LDP.

Finally, the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following CONDITIONS

CONDITIONS:

1. The development shall begin not later than five years from the date of this decision.

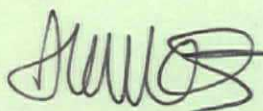
Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing number: Victoria 32 02 received on 22.06.2020

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

27/7/20