

DELEGATED REPORT

Application No: P/21/0376

Site Address: Mountain Ash Inn
Gilfach-cynon
Twynyrodyn
Merthyr Tydfil

Development: Change of use of ground floor from public house to a beauty salon (Sui Generis Use)

Case Officer: Caroline Pulley

Site Visit: 4th November 2021

Application Expiry Date: 27th December 2021

Consultation reply date expired: 25th November 2021

APPLICATION SITE

The application site comprises the former Mountain Ash Inn, which is located within the residential area of Twynyrodyn. The public house fronts immediately onto the pavement of Gilfach Cynon (the main highway). It is fully developed within its curtilage and comprises the public house on the ground floor and a flat above. Neighbouring properties are located immediately to the east and south of the pub with the highway bounding the western and northern elevations of the building.

PROPOSED DEVELOPMENT

This application seeks full planning permission to convert the public house to a beauty salon. No alterations are proposed to the exterior of the building. Internally, the plans detail the ground floor being subdivided to provide a large reception area (with three nail desks), three treatment rooms, a storage room and staff room. No changes are proposed to the existing access arrangements, which are in place from Gilfach Cynon and the adjacent side street serving Walters Terrace. It is proposed that the premise would be open between 09:00 -17:00 hours Monday to Friday and 09:00 to 12:00 hours on Saturdays.

PLANNING HISTORY

There is no recent planning history relating to the public house.

CONSULTATION

Head of Engineering: No objection.

Environmental Health Manager: No response.



Planning Division's Policy Officer:

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 site notices were displayed within the vicinity of the site

One letter of objection has been received as a result of this exercise raising concern over the impact of the proposed change of use on current parking situation in the area. The writer expresses concern that the proposal could lead to additional demand and pressure for on-street parking in the locality.

Local Ward Members were advised of the objection received to this application however, no request has been submitted requiring the application to be reported to the Planning Committee. As such, the application will progress to be determined by the Chief Officer Planning and Neighbourhood Services.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Planning Policy Wales (PPW) Edition 11 (February 2021) 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 TAN to this application is as follows:-

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 SW11 – Sustainable design and Placemaking

Policy SW13 – Protecting and Improving Local Community Facilities

Policy EnW4 – Environmental Protection

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PLANNING CONSIDERATIONS

The proposed development seeks permission to change the use of a former public house to a beauty salon. The key considerations in the determination of this application are 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.

Principle of the proposed conversion

The scheme seeks to provide a beauty salon through the conversion of the public house. The building itself is located within settlement limits and within walking distance of a number of local amenities and facilities within the surrounding built up area of Twynyrodyn. As such, the proposal would be a sustainable form of development, which accords with Policy SW4 of the LDP. However, it is recognised that the proposed conversion of the public house would result in the loss of a community facility protected by Policy SW13 of the LDP. This policy states that the:

Development proposals that would result in a loss of an existing community facility will only be permitted where:-

- 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 of the community and is no longer required, or*
- it can be demonstrated there is no longer a viable community use for the facility.*

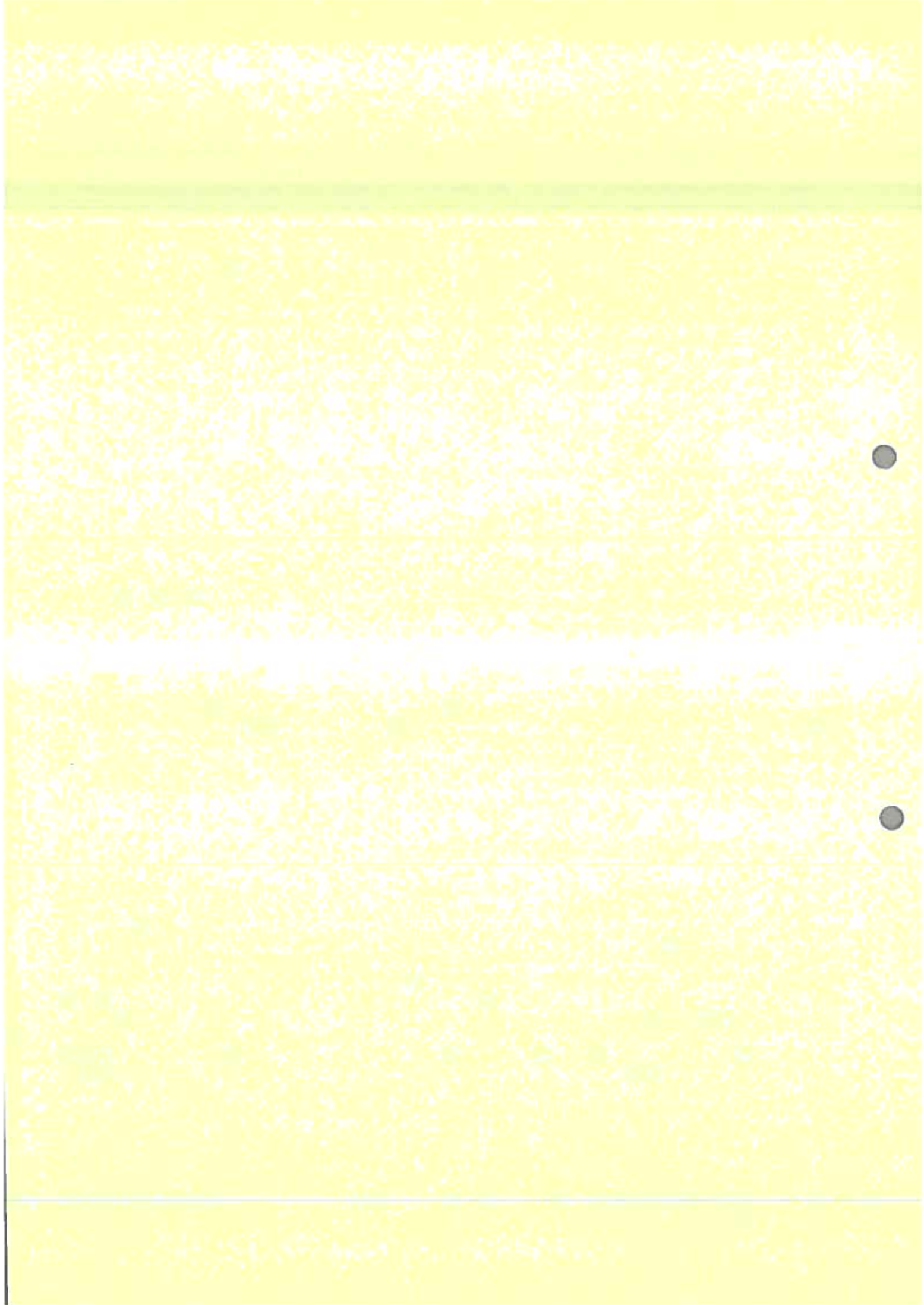
In this respect, the applicant has noted on the application form that the public house has been vacant for a period of four years. Taking this into account, the Planning Division's Policy Officer considers the existing community facility is inappropriate or surplus to the needs of the community and is no longer required. Therefore, the criteria set out in Policy SW13 has been satisfied. In addition to this, a beauty salon would provide a suitable alternative or viable community use that fulfils the role of serving the community. As such, the proposal complies with the requirements of Policy SW13 the LDP.

Impact upon the character and appearance of the area

The proposed development, as explained earlier, would not involve any external alterations. Only internal alterations would be carried out to the premises. Since the exterior of the building is not proposed to be altered, the proposed development would not have an adverse impact on the character and appearance of the existing building or the surrounding area and would therefore comply with Policy SW11 of the LDP.

The privacy and amenity of neighbouring properties

The proposed development would involve changing the existing floor space of the public house to a beauty salon. The re-use of the ground floor of the building for this purpose would not unduly compromise the amenities of nearby residents, since no new extensions or window openings are proposed. As such, the proposal would not result in an overbearing impact or cause loss of light or privacy to the amenities of nearby occupiers. Furthermore, the proposed use, in terms of noise and disturbance would have no significant detrimental impact on neighbouring residents.



Impact on highway safety

Concerns have been raised by a local resident that the proposed use of the building would exacerbate parking problems in the area. In order to aid in the assessment of the scheme, consultation has been undertaken with the Council's Head of Engineering. In this respect, it is noted that no highway objections have been raised to the proposal. It is acknowledged that the premise does not have any off-street parking provision nor does it have the capability of providing off-road parking within its curtilage. However, in terms of street parking and traffic movement, the existing use (public house) would have a similar demand for parking as the proposed use. The application site is also in a sustainable location where many day-to-day facilities can be accessed on foot, by bicycle or by using public transport. This is in line with the thrust of National Planning Policy set out in PPW which amongst other things advises '*Spatial strategies should support the objectives of minimising the need to travel, reducing reliance on the private car and increasing walking, cycling and use of public transport.*' (Paragraph 3.49). On this basis and having regard to the nature of the existing use, 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.

Conclusion

Having taken account of all the issues outlined above, the application is considered to be acceptable in planning terms and is in line with local development plan policy and the policy framework of Planning Policy Wales.

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

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:

Proposed Floor Plan received on 01.11.2021

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

INFORMATIVES

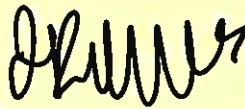
1. The developer shall obtain all other necessary consents **BEFORE** works commence including BUILDING REGULATION approval.
2. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

9/12/21

