

DELEGATED REPORT

Application No: P/21/0386

Site Address: 14 High Street Caeharris
Dowlais
Merthyr Tydfil
CF48 3HB

Development: Conversion of first floor function room into 3 holiday lets. Erection of rear porch/canopy

Case Officer: Caroline Pulley

Site Visit: 18th November 2021

Application Expiry Date: 4th January 2022

Consultation reply date expired: 9th December 2021

APPLICATION SITE

The application site relates to a part commercial/part residential building located in High Street, Dowlais. The premises lies on a corner of High Street and Blanche Street and is currently operating as an Indian Restaurant at ground floor, with a function room and a two bedroom residential flat being located above. The front of the property faces directly onto High Street. The rear elevation of the property adjoins a small enclosed yard, beyond which is the gable end of a neighbouring residential property (1 Blanche Street). The surrounding area is predominately residential in character but there are a number of commercial properties located along High Street, including a convenience store and a public house.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the conversion of a first floor function room to three, one bed holiday lets. The conversion would be undertaken within the fabric of the existing building, with no increase to its footprint. The existing first floor two bed flat would remain in place and would continue to be served by its own rear entrance door. Access to the holiday lets would be facilitated from Blanche Street by a separate rear entrance door (also located at first floor level). No off-street parking is proposed as part of the application. Externally, a 2.6m wide canopy/porch would be erected over the two first floor rear entrance doors.

PLANNING HISTORY

The recent history relating to the property is provided below:

P/21/0386	Conversion of whole of first floor to house of multiple occupation (HMO) with porch/canopy over rear doors
-----------	--

Withdrawn – 13.10.2021

P/12/0329
alterations)

Single storey extension to kitchen (including internal

Approved – 07.02.2013

P/09/0209

Change of use of first floor flat (fronting onto High Street) to waiting area associated with the ground floor restaurant and the erection of a flue to the rear of the property.

Approved – 12.01.2010

P/07/0527

Change of use of ground floor of building to restaurant (A3 use), first floor of building to 2 No. self contained flats and external changes to building

Approved – 20.12.2007

CONSULTATION

Head of Engineering:

No objection.

Environmental Health Manager:

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

No letters of objection were received following this publicity exercise.

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.

Section 3.12 highlights '*Good design is about avoiding the creation of car-based developments.*'

Section 4.1.9 states 'The Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Section 4.1.10 goes on to highlight that '*The planning system has an important role to play in*

reducing the need to travel, particularly by private car, and supporting sustainable transport, by facilitating developments which:

- Are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;*
- Are designed in a way which integrates them with existing land uses and neighbourhoods; and*
- Make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.'*

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.

TAN 13 – Tourism sets out the planning system can respond to changes in tourism.

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

Supplementary Planning Guidance (SPG):

- SPG 5 – Nature and Development, May 2015

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.

Principle of the proposed development

The scheme seeks to provide through the conversion of the first floor function room, three holiday lets. The building 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. As such, the principle of converting the function room to holiday accommodation is acceptable under Policy SW4 of the LDP and is in line with the thrust of national planning policy set out in Planning Policy Wales (PPW).

Impact on character and appearance

The proposed conversion would take place without any significant alterations being made to the external fabric of the building. The most significant change would arise from the erection of a small canopy along the less prominent rear elevation of the building. Although it is acknowledged that this structure would be visible from Blanche Street, given its limited scale, it is not considered that it would have a significant impact on the character and appearance of the area.

Residential amenity

The re-use of the function room for holiday accommodation would not unduly compromise the amenities of nearby residents. The three rooms would be located at the front of the property and as such, would be served by the windows which front onto the main high street. Given that these windows would primarily overlook the road, it is not considered that the privacy of neighbouring properties would be severely affected by this development. Also, the canopy proposed to the rear of the building would be of a limited scale and given its very nature, it would not unduly compromise the amenities of neighbouring properties. Moreover, no letters of objection have been received as a result of the publicity exercise undertaken with this application. Taking this into account, the development would have an acceptable impact on the amenities of the occupiers of neighbouring properties.

Highway safety

As mentioned earlier, the proposal involves the conversion of a first floor function room into three holiday lets. 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. However, in terms off-street parking and traffic movement, the existing use (function room) would have a greater demand for parking for than 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

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 Plans and Elevations received on 09.11.2021

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

INFORMATIVES

1. 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.

2. The developer shall obtain all other necessary consents **BEFORE** works commence including BUILDING REGULATION approval.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

10/12/21