

## DELEGATED REPORT

Application No: P/21/0149

Site Address: 1 Walter's View  
Walter Street  
Dowlais  
Merthyr Tydfil  
CF48 3AW

Development: Change of use from tanning salon (sui generis) to flat (C3 use class)

Case Officer: Marlene Ferreira

Site Visit: 4<sup>th</sup> May 2021

Application Expiry Date: 17th June 2021

Consultation reply date expired: 17th May 2021

### APPLICATION SITE

The application site relates to the front part of the ground floor premises at 1 Walters View, in Walters Street, Dowlais. The corner premises was formerly used as a tanning salon (sui generis use), but has been closed for a significant amount of time and therefore remains vacant. It is not served by on-site parking, however there is on-street parking available along the front and side highways.

The premises lies within the settlement boundary – Primary Growth Area as designated within the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

### PROPOSED DEVELOPMENT

This application seeks planning permission to change the use of this part of the premises from a tanning salon (sui generis use) to a one bedroom flat (C3 use class).

The existing salon, comprising of a large open area would be altered to include the provision of a lounge/dining area, with separate kitchen, bedroom and bathroom areas. Externally, the alterations would include the blocking up of a corner window. A larger side facing window would also be partly blocked up to include the installation of a smaller window to serve the lounge/dining area. During the site visit it was noted that the smaller window had already been installed.

### CONSULTATION

Head of Engineering

No objection.

Planning Policy Section

No objection.

Ecology Officer

No objection.

Environmental Health

No objection.

Welsh Water

No objection.

## PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) Order (Wales) 2012, letters were sent to the nearby occupiers and a site notice was displayed within the vicinity of the site. No letters of representation have been received following this publicity exercise.

## POLICY CONTEXT

### National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

### National Planning Policies

- Planning Policy Wales (Edition 11, February 2021)

### Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW1 – Provision of New Homes

Policy SW4 – Settlement Boundaries

Policy SW9 – Planning Obligations

Policy SW11 – Sustainable Design and Placemaking

Policy SW13 – Protecting Community Facilities

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

## PLANNING CONSIDERATIONS

The issues to consider in the assessment of this application relate to whether the proposed development would be acceptable in principle in this location and whether it would be acceptable in respect of its impact upon the character and appearance of the area, residential amenity, ecology and highway safety.

### Principle of Development

The application site lies within the defined settlement boundary and Primary Growth Area where new development is supported provided it complies with other relevant policies. As such, the proposal would comply with LDP Policy SW4.

The tanning salon is also recognised as a community facility. As such, LDP Policy SW13 is also relevant.

LDP Policy SW13 seeks to protect and improve local community facilities. It states that *'...developments which would result in the 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; - it can be demonstrated that the existing provision is inappropriate and 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...'* Additional information received from the applicant on the 27<sup>th</sup> May 2021, confirms that the premises has been closed for over 5 years. Furthermore, the information also confirms that there is another tanning facility, TAN-EX, located at Unit 2, New Shopping Centre, North Street, Dowlais, which offers additional beds and is within walking distance of the application site. As such, since there is an existing tanning salon nearby, which currently serves the existing community and having noted that the salon has been vacant for over 5 years, the proposed development would be considered to comply with the criteria set out under LDP Policy SW13.

#### Character and Appearance

There are no external alterations, other than the blocking up of a window and the installation of a smaller window, to the corner and side elevations of the premises. Thus, the works proposed in association with the change of use are minor and would not have adverse impact on the character and appearance of the premises. The proposal would therefore accord with LDP Policy SW11.

#### Residential Amenity

The proposed flat would be sited in a part of Dowlais which is predominantly residential in character. As such, the activities associated with the use of the premises as a flat would not be significantly more harmful upon adjoining occupiers, since these also appear to be used as residential properties. Indeed, the proposed flat, in respect of noise, disturbances and comings and goings, would be less disruptive to other nearby occupiers than the former tanning salon. Thus, no objections have been received from nearby residents or the Environmental Health Manager and the proposed change of use would therefore comply with LDP Policies SW11 and EnW4.

#### Ecology

In respect of ecology requirements and enhancements, the Council's Ecologist has concluded that survey work would not be required in association with this proposal. However, in accordance with the Environmental Wales Act (2016), the installation of a bat box has been requested. Given that only minor external alterations are proposed in this instance, it would not be reasonable to request that this be carried out as part of this application.

#### Parking and Highway Safety

The application site is not served by on-site parking. However, unrestricted parking is available along the front and side highways. Furthermore, there is a car parking area within walking distance of the site, located to the northeast. The site also lies in a sustainable location, being sited within walking distance of bus stops along Victoria Street. Therefore, the Head of Engineering has not raised an objection to this proposal, which would therefore accord with LDP Policy SW11.

## Planning Obligations

Policy SW9 considers the requirements for planning obligations. Since the proposal relates to a single unit, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing would not be sought in this instance and the proposed development would therefore comply with LDP Policy SW9.

## CONCLUSION

The development, due to the reasons discussed above, is therefore considered acceptable and in compliance with relevant policies and guidance.

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:**

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

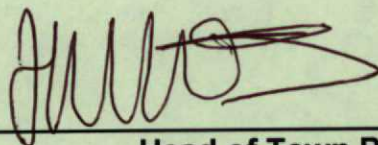
**Reason** - To comply with Section 91 of the Town and Country Planning Act 1990.

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

- 018.01 Plans, received: 22nd April 2021;
- 018.01 Elevations, received: 22nd April 2021.

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

**RECOMMENDATION ENDORSED**



Head of Town Planning

DATE:

14/6/21