

DELEGATED REPORT

Application No: P/20/0108

Site Address: Railway Inn
High Street
Bedlinog
Treharris
CF46 6RP

Development: Change of use from public house (A3 Use Class) to 3 dwellings (C3 Use Class)

Case Officer: Marlene Ferreira

Site Visit: 17th June 2020

Application Expiry Date: 23rd September 2020

Consultation reply date expired: 25th June 2020

APPLICATION SITE

The application site relates to an existing public house, The Railway Inn, located off High Street in Bedlinog. The public house, recognised as a locally listed building, has been vacant for approximately two and a half years, however, the first floor of the premises is currently occupied by the owners (the applicants). The property lies amongst a row of terraced properties and, like the terraced dwellings, its front elevation is immediately adjacent to the front pavement. The site slopes downwards from the rear (north) to the front (south). The premises has been extended by means of a two-storey rear extension (finished in render and stone) and a single storey rear extension (rendered elevations with matching roof tiles). It also has a single storey store area (finished with blockwork elevations and corrugated roof sheets). It is served by an access off the adopted rear highway, Mary Street. A car parking/hardstanding area elevated above the rear courtyard/garden is accessed from the rear highway. The land to the northwest, elevated above the rear gardens of the dwellings located along the High Street (no's 28, 29, 30 and 31), also forms part of the application site.

The application site lies within the Other Growth Areas settlement boundary as designated within the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

PROPOSED DEVELOPMENT

This application seeks planning permission to change the use of the public house (with living area above) (A3 use class) into three dwellings (C3 use class). The proposal includes excavation and retaining works to provide car parking and amenity areas.

Property 1: Four bedroom property to the western part of the premises

To the western part of the premises, a 4 bedroom property would be provided. The existing ground floor seating area and function room would be converted into a small hallway, lounge, kitchen area and a WC. The existing first floor bedrooms and dining area would be converted and re-arranged into three bedrooms, a bathroom and an en-suite bedroom. Externally, a new window and new white UPVc door would be installed to front elevation of the property. A new door (and opening) and three new UPVc windows (to include one new opening) would be installed to the eastern side elevation of the rear projection. Replacement UPVc windows would be installed to the western side elevation of the rear projection. To the rear of the property, a new stepped access with 1 metre high metal railings would provide access into the rear garden from the highway (Mary Street). The blockwork store room adjoining the rear projection would be demolished and a bin store would be constructed using reclaimed stone (existing within the site) and grey roof tiles to match those existing on the main premises. An elevated hardstanding area, retained by a 1.2 metre high blockwork wall, would also be provided to accommodate two vehicular parking spaces at the same level as Mary Street. This would be enclosed by 1.1metre high railings to the side and a 1.1 metre high timber fence to the front. The land immediately adjacent to the rear elevation of the premises would be excavated and retained by a 1 metre high blockwork wall, with 1 metre high railings above. This would enable the provision of 1 metre wide (approximately) yard/path immediately adjacent to the rear kitchen entrance (with an elevated garden area above). A new stepped access, with 1 metre high railings, would also be constructed to provide access from the small section of the elevated garden area into the lower yard/path area. The main rear garden area however, to serve the 4 bedroom property, would be provided along the rear of the properties 28 - 31 High Street and enclosed from the adjacent highway, Mary Street, by a 1 metre high close boarded timer fence.

Property 2: Two bedroom property to the central part of the premises

To the central part of the premises, a 2 bedroom property would be provided. The existing ground floor bar area would be converted into a small hallway, lounge, kitchen and WC. The existing first floor bedrooms and bathroom would be re-arranged into two bedrooms and a bathroom. Externally, a new white UPVc door (with new opening) would be installed to the front elevation of the property. A new door and window (with openings) would be installed to the rear elevation. To the rear, a new stepped access with 1 metre high railings, would provide access into the rear garden from the highway (Mary Street). The existing elevated hardstanding would be extended and retained by a blockwork wall, to provide an additional parking space to serve this property. The existing single storey rear extension would be demolished and the land immediately adjacent to the rear elevation of the premises would be excavated and retained by a 1 metre high wall, with 1 metre high railings above. This would enable the provision of a 1 metre wide (approximately) yard/path immediately adjacent to the rear entrance (with an elevated garden area above). A new stepped access, with 1 metre high railings, would also be constructed to provide access from the elevated garden area into the lower yard/path area.

Property 3: Two bedroom property to the eastern part of the premises

To the eastern part of the premise, a 2 bedroom property would be provided. The existing ground floor lounge area would be converted into a small hallway, lounge, kitchen and WC. The existing first floor lounge and kitchen area would be converted into two bedrooms and a bathroom. Externally, a new white UPVc door (with new opening) would be installed

to the front elevation of the property. A new door (with opening) and a new window (with opening) would be installed to the rear elevation. To the rear, a new stepped access with 1 metre high railings, would provide access into the rear garden from the highway (Mary Street). The existing elevated hardstanding would be retained as a parking space to serve this property. The land immediately adjacent to the rear elevation of the premises would be excavated and retained by a 1 metre high wall, with 1 metre high railings above. This would enable the provision of 1 metre wide (approximately) yard/path immediately adjacent to the rear entrance (with an elevated garden area above). A new stepped access, with 1 metre high railings, would also be constructed to provide access from the elevated garden area into the lower yard/path area.

PLANNING HISTORY

The council's records do not include any other recent or relevant planning history for this site.

CONSULTATION

Engineering and Traffic Group Leader	No objection.
Planning Policy Officer	No objection.
Ecologist	No objection.
Environmental Health Manager	No response.
Bedlinog Community Council	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 adjoining properties and 2 site notices were displayed within the vicinity of the premises. One objection letter was received as a result of this publicity consultation. The concerns raised have been summarised below:

- The type of occupants who will reside in the new properties;
- Rubbish not being disposed of properly and ending up on the street;
- High Street is a busy street during the day and night and is generally congested as a result of bumper to bumper parking, causing issues for the bus service along this route.

Committee Members were advised of the objection letter received, but have not requested that the application be determined at Planning Committee. As a result, the proposed development will be determined, under delegated powers, by the Chief Officer of Planning and Neighbourhood Services.

POLICY CONTEXT

National Planning Policy

- Planning Policy Wales (edition 10, December 2018)

Paragraph 3.7, 3.9, 3.10, 3.12 and 4.2.17 discusses good design and the use of previously developed land *'...Good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution. An integrated and flexible approach to design, including early decisions regarding location, density, layout, built form, the choice of materials, the adaptability of buildings and site treatment will be an appropriate way of contributing to resilient development...'* *'...The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations...'* *'...In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important...'* *'...Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys...'* *'...Maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites. For example, sites and allocations which are no longer likely to be needed for office, industrial or retail purposes may be appropriate locations for housing...'*

- Technical Advice Notes (TANs)

Technical Advice Note 24: The Historic Environment (May, 2017)

Section 1.14 of TAN 24 refers to conservation principles and *'... recognises that the whole of the historic environment is a finite and shared resource. Every place has its own history, which has shaped its character and leaves tangible traces in its present form and fabric. This historic character makes each place unique and gives it a distinctive identity. Historic character should be taken into account in the management of change in order to sustain local distinctiveness and a sense of place. The use of an objective, structured approach to identify the elements of historic character and creating an evidence base is vital...'*

Local Planning Policies

- The Adopted Merthyr Tydfil Replacement Local Development Plan 2016-2031

Policy SW1: Provision of New Homes
Policy SW3: Sustainably Distributing New Homes
Policy SW4: Settlement Boundaries
Policy SW9: Planning Obligations
Policy SW11: Sustainable Design and Placemaking
Policy SW13: Community Facilities
Policy CW1: The Historic Environment
Policy ENW1: Nature Conservation and Eco-Resilience

Policy EnW4: Environmental Protection

- Supplementary Planning Guidance (SPG)

SPG Note 1: Affordable Housing (March 2012)

SPG Note 2: Planning Obligations (March 2012)

SPG Note 4: Sustainable Design (July 2013)

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed dwellings would be acceptable in principle, and whether they would be acceptable with regards to their impact upon the appearance of the premises, residential amenity, ecology, parking provision and highway safety.

Principle of Development

The application site lies within the settlement boundary – Other Growth Areas, where new development is supported provided it complies with other relevant LDP policies and any other planning consideration.

The proposed development seeks to change the use of the existing public house which has remained vacant for over two years, into three residential properties. LDP Policy SW13 states that *'...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...'*

Whilst the proposed development would result in the loss of a community facility, it should be noted that the property has been vacant for over 2 years. Thus, given this time period, the use of the public house is no longer considered a viable use in the community and the proposed residential use would therefore be considered acceptable in this instance. Furthermore, it should be noted that information attached to this application demonstrates that the Top Constitutional Club and Bedlinog Rugby Club are located between 0.2 and 0.3 miles from the application site. These however, are private members club and are therefore not deemed to provide equivalent provision. However, the plan also identifies that the Bedlinog Inn lies within 0.3 miles from the application site, which is considered alternative provision of equivalent value to the local community. The proposal would therefore comply with LDP Policies SW4 and SW13.

Character and Appearance

The proposed development would include alterations to its primary elevation, however, these would amount to new windows and doors which would be required to serve the individual properties. These would be installed in a UPVc finish (to match those which already exist) and would be sited so that they retain symmetry to the frontage of the proposed dwellings when viewed along the terraced row. As such, these alterations to the

front of the premises would not be deemed detrimental to the character and appearance of the properties when viewed within the street scene.

In respect of the alterations to the rear, these would amount to new UPVc doors and windows throughout, some of which would include new openings. These however, would be viewed in line with the existing doors/windows. Whilst the two new rear windows serving the two bedroom properties (central and eastern properties) would have a horizontal emphasis as opposed to a vertical emphasis and as such would not match the size or design of the other existing windows on the rear elevation, it should be noted that these have been provided to serve the kitchen areas and would sit above the sink, where larger windows with a vertical emphasis would not be suitable. It should be noted however that due to the location of the ground floor areas of these properties, which are sited below their rear garden areas and parking areas, the fenestration arrangement would remain screened when viewing the property from Mary Street. Thus, whilst a matching window scale and design would be deemed more suitable, this part of the scheme would not detract from the character and appearance of the premises when viewed from the rear street scene.

Other rear alterations would include a rear single storey bin store extension adjoining the rear gable of the two storey rear projection which would be constructed in natural stone and grey roof tiles to match the materials on the main premises. The proposed bin store extension would therefore amount to a small scale extension which would not detract from the appearance of the property. Instead, it would improve the appearance of the premises since as it would replace an unsightly corrugated sheet and blockwork single storey extension.

To maintain, the character and appearance of the proposed dwellings (and area in general) and to protect the amenities of future residents, it is considered necessary to remove permitted development rights (via a condition) for extensions and dormers/alterations to the roofs.

In respect of the excavation works and retaining works to provide and/or extend the proposed parking areas and the two-tier garden level garden/yard areas, these works are also considered acceptable. Whilst the elevated hardstanding area would be provided to the rear, retained by a blockwork wall, this would be required to provide on-site parking provision to serve the dwellings and would follow a similar design to the single vehicle parking area already existing at the rear of the premises. Furthermore, the blockwork wall retaining the parking areas, which would be conditioned to be finished in render, would result in a parking area at the same level as the rear highway and as such would only be viewed from within the application site and the neighbouring gardens along this row. As such, it would not be an inappropriate or unsightly addition within Mary Street. Similarly, the access to the garden areas would now be served by new stepped accesses off the rear highway and these would appear more prominent from within the site and neighbouring gardens than Mary Street. In any event it would amount to an appropriate access arrangement off the rear highway, which would be deemed more acceptable than the existing layout.

New stepped accesses are also proposed from the upper garden level to the lower yard area (as a result of the excavation works to provide a rear yard/path immediately outside the rear elevation of the proposed dwellings). These works would also be set below the level of the highway and as such would not amount to a prominent or incongruous form of development. Whilst it is noted that a new fence would be erected adjacent to Mary Street,

which would make the garden area to the northwest a defended space (to serve the western four bedroom property), this would only be 1 metre in height (which would not require planning permission) and as such would not be deemed inappropriate. Indeed, these works would result in a useable and adequate parking/amenity spaces to serve these properties which would significantly improve the current condition of the premises and the ground surrounding the public house, which is currently overgrown and used as a dumping ground for materials and other ad hoc storage. However, given the visual importance of this part of the site (as well as the rear of the other dwellings proposed) and the future potential impact on neighbouring residents, it is considered necessary to impose a condition which removes permitted development rights for any outbuildings.

The proposed works would therefore provide the desired accommodation whilst safeguarding the character and appearance of the locally listed building and that of the wider area and would therefore comply with LDP Policies SW11 and CW1.

Residential Amenity

The proposed development has been considered in respect of its impact on neighbouring properties, particularly those either side of the application site. However it is noted that the proposed development does not include any substantial works, other than new doors and windows, a small rear extension and new parking areas at the rear.

In respect of the property adjoining to the proposed four bedroom property, 31 High Street, it should be noted that although new windows would be installed to the western side elevation of the rear projection, these would not include any new openings, and would involve the replacement of the existing windows only. As such the extent of overlooking would be the same as the existing residential use at first floor. With regards to the rear single storey bin store, this is a small scale development which would be sited in place of the existing store and as such would not have an overbearing impact upon the amenities of this neighbouring property. Furthermore, no new windows/doors would be provided to this elevation and as such, would not result in the loss of privacy to these occupiers. Likewise, the parking area has been sited to the rear of the application property's two storey rear projection, which would serve to safeguard the amenities of this nearby occupier. Whilst the wall retaining the elevated parking area would be viewed from this neighbouring garden, this would be sited approximately 16 metres away from its rear elevation and approximately 3.8 metres from the garden boundary itself (at its closest point). This part of the proposal is therefore not considered to result in an overbearing form of development which would have a significant loss of light to this neighbouring property. Whilst the main garden area to serve this property would run along the rear boundary with this dwelling and others along this side of High Street, it should be noted that the garden area, as noted previously, is located at a lower ground level than the highway and is already divided from this neighbouring dwelling and others along this row, by existing boundary fences/enclosures. The proposed development is therefore not considered to significantly detract from the privacy or amenities of this neighbouring occupier (31 High Street) subject to a suitably worded condition, as highlighted above, to remove permitted development rights for outbuildings.

In respect of the property adjoining the proposed 2 bedroom dwelling, Bedlinog Stores, it should be noted that this is a retail store which has been extended to the rear by a large single storey extension, which is almost at the same ground level as the proposed garden level to serve property 3. Part of this garden area however would be excavated to provide a lower yard/path adjacent to the rear elevation of the properties, as explained previously.

Thus, the relationship between these properties would remain similar, since a section of upper garden area would be retained. In any event, overlooking from the rear garden area into this neighbouring property's first floor windows could still be achieved as a result of this development. Whilst there appears to be additional external space beyond the rear extension at Bedlinog Stores, this does not appear to useable external space, since the area beyond the extension, appears largely overgrown and unused. The proposed development would therefore not be considered significantly more harmful to the amenities of these adjacent occupiers than that which exists at present.

Whilst it is noted that these works would also take place adjacent to those occupiers living in Mary Street, and would include new stepped accesses and elevated parking areas, these would not extend above the level of the highway and as such would not detract from the amenities of the nearby occupiers living opposite the application site.

With regards to the proposed change of use itself, it is noted that a change of use application also has the potential to cause other harmful and detrimental impacts, such as noise and disturbances. In this instance however, the proposed residential use would be compatible with the surrounding area which is predominantly made up of residential properties. Indeed, the proposed residential use would cause less nuisances and disturbances to nearby occupiers than the existing public house. It should also be noted that no objections have been raised by the Environmental Health Officer in respect of this proposal.

The proposed development is therefore considered acceptable form of development which would comply with LDP Policies SW11 and EnW4.

Ecology

The application site lies in an area which has records of bats, birds, Otter, Hedgehogs, amphibians and vascular plants. This proposal also includes the demolition of a store area and a rear extension. Given this demolition, a Preliminary Roost Assessment (PRA) for bats and nesting birds was requested in support of the application to investigate the impacts of the proposed works on protected species and inform if any further survey would be required. The report, prepared by BE Ecological Ltd, Issue 1, Version D was received on 25th August 2020. It concluded that the rear store is not a bat roost and no further surveys were therefore requested. However, enhancement measures are recommended within the report and the amended plans shows that a Schwegler 1FF bat box and a Schwegler 1SP Sparrow terrace will be erected on the north western gable of the property. Furthermore, the bin store would be constructed in natural stone with a bat access as shown on the submitted plans. The Council's Ecologist has reviewed the amended report and plans and raised no objections provided that the development is carried out in accordance with recommendations/enhancements set out in this report. The proposed development would therefore be acceptable and in accordance with Policy EnW1 of the LDP.

Parking and Highway Safety

The proposed development would involve the provision of three dwellings, whereby the 4 bedroom property would be served by two new vehicular parking spaces at the rear of the site, and the 2 bedroom properties, would each be served by one vehicular parking space (one of which would be new) at the rear of the site. As such, additional parking facilities would be provided to serve the proposed development. In addition, unrestricted on-street

parking is also available along the front and the rear of the properties, at High Street and Mary Street. It should also be noted that the site lies within walking distance of a bus stop. Indeed, the use of the application site for three dwellings would require less parking spaces and generate less vehicular movements than the existing public house. The Engineering and Traffic Group Leader has therefore raised no objections to the proposed development since it would not have an adverse impact upon parking provision or highway safety. The proposal would therefore comply with Policy SW11 of the LDP.

Planning Obligations

The proposed development seeks to convert the existing public house into three new dwellings. LDP Policy SW9 relates to planning obligations however, given that the proposal is for less than five dwellings, on-site delivery of affordable housing or open space or a financial contribution towards affordable housing or any other contribution would not be a requirement in this instance.

CONCLUSION

Accordingly, for the above noted reasons the proposed development would be considered an acceptable proposal in this location, which would not detract from the character or appearance of the area, the amenities of nearby occupiers, ecology, parking provision or highway safety and would therefore comply with the relevant policies. The following recommendation is therefore made.

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.

RECOMMENDATIONS: 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:

- Drawing number: 02023040 -01, received: 21st September 2020;
- Drawing number: 02023040 -02, received: 21st September 2020;
- Drawing number: 02023040 -03, received: 29th July 2020;
- Drawing number: 02023040 -04, received: 21st September 2020;
- Drawing number: 02023040 -05, received: 29th July 2020;
- Drawing number: 02023040 -06, received: 21st September 2020;
- BE Ecological Ltd, The Railway Inn, High Street, Bedlinog, Initial Bat Inspection Survey, Issue 1, Version D, received: 25th August 2020.

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

3. **No development shall commence** until details of a scheme for the disposal of surface water for the parking areas has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to any dwelling being brought into use and retained in perpetuity.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

4. **Prior to the occupation of the dwellings hereby permitted** a plan indicating the positions, height, design, materials and type of boundary treatment to be erected between each of the neighbouring properties, shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwellings are occupied.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **Prior to the occupation of the dwellings hereby permitted**, the blockwork walls of the elevated rear parking, yard and patio areas shall be faced in render, details of which, shall be first submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. Notwithstanding the provisions of Schedule 2, Part 1, Class A, Class B, Class C and Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no enlargements/extensions, including any additions/alterations to the roof, and no outbuildings or raised platforms shall be erected other than those expressly authorised by this permission.

Reason - In the interest of visual amenity and residential amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

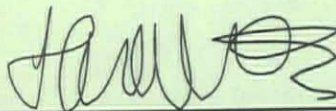
7. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no gates, fences, walls or any other means of enclosure shall be erected other than those expressly authorised by this permission.

Reason - In the interest of visual amenity and residential amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The developer is advised to contact the County Borough Council's Head of Engineering regarding any retaining works or other works affecting the highway **BEFORE** construction works commence.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

22/09/20