

DELEGATED REPORT

Application No: P/20/0170

Site Address: 52 Glebeland Street
Merthyr Tydfil
CF47 8AT

Development: Change of use from offices (B1) to shop (A1)

Case Officer: Marlene Ferreira

Site Visit: 30th July 2020

Application Expiry Date: 23rd September 2020

Consultation reply date expired: 19th August 2020

APPLICATION SITE

The application site relates to the ground floor of an attractive red brick three storey property, 52 Glebeland Street, located in the Merthyr Tydfil Town Centre. The property was formerly used as the offices of the Merthyr Express Newspaper, but has been vacant for at least 5 years. The first and second floors were also used as offices in association with the Merthyr Express Newspaper, but are also currently vacant. The property backs onto and is enclosed from Post office Lane by a high red brick wall. The site is not served by on-site parking.

The application site lies within the settlement boundary – Primary Growth Area, Town Centre Boundary and Town Centre Conservation Area, as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031. The property also lies in a C2 Flood Zone.

PROPOSED DEVELOPMENT

This application seeks planning permission to change the use of the premises from offices (B1 use class) to a retail shop (Green Refill Shop) (A1 use class). Only internal alterations are proposed in association with this change of use.

The existing office area would be converted into retail space. The existing entrance, kitchen and WC facilities will remain unaltered as a result of this proposal. The shop is proposed to operate with two full time members of staff and one part-time member of staff. It would open from 7am until 6pm Monday to Saturdays and from 7am until 7pm on Sundays and Bank Holidays.

PLANNING HISTORY

The following planning history is relevant to this site:

P/97/0277 – Alterations, repairs and refurbishment including new shopfront, disabled access and toilet facilities – Approved: 20th August 1998

CONSULTATION

Policy Section	No objection.
Environmental Health Officer	No objection.
Natural Resources Wales (NRW)	No objection.

PUBLICITY

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

POLICY CONTEXT

National Planning Policy

- Planning Policy Wales (edition 10, December 2018)

Paragraph 4.3.1 states that *'...retail and commercial centres are hubs of social and economic activity and the focal point for a diverse range of services which support the needs of local communities. They are highly accessible to different modes of transport and are the most sustainable locations for new development...'*

Paragraph 4.3.30 refers to mixed uses in centres and explains that *'...although retailing (A1) uses should underpin retail and commercial centres, it is only one of the factors which contribute towards their vibrancy....'*

Paragraph 6.1.14 talks about conservation areas *'...There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance is to be preserved or enhanced and their heritage value is to be fully realised. Planning authorities should establish their own criteria against which existing and/or new conservation areas and their boundaries should be reviewed...'*

- Technical Advice Notes (TANs)

Technical Advice Note 4: Retail and Commercial Development (November, 2016)

Section 2.3 of TAN 6 refers to the variety of uses in the centre and states that *'...a wide range of uses are located in retail and commercial centres including retail, office, residential, leisure, tourism and community functions. These centres are traditionally characterised by having higher densities which increases scope for different uses, including residential, to be accommodated above retail and commercial floorspace. Encouraging people to live and work in existing centres reinforces local demand and provides additional vibrancy during the day and in the evening. This diversity of uses,*

whilst benefiting the wider economy, will need to be carefully planned and managed to ensure that no conflicts arise, particularly with regards to amenity...'

Technical Advice Note 15: Development and Flood Risk (2004)

Section 5 of TAN 15 considers the vulnerability of different land uses to flooding and identifies three separate development categories, emergency services, highly vulnerable development and less vulnerable development. Sections 6 and 7 of TAN 15 relates to the justification of development types within flood zones and whether a flood consequent assessment is required.

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 Merthyr Tydfil Replacement Local Development Plan 2016-2031

Policy SW4: Settlement Boundaries

Policy SW11: Sustainable Design and Place Making

Policy SW12: Improving the Transport Network

Policy CW1: Historic Environment

Policy EnW4: Environmental Protection

Policy EcW3: Retail Hierarchy- Supporting Retail Provision

Policy EcW4: Retail Allocation

- Supplementary Planning Guidance:

SPG Note 4: Sustainable Design (July 2013)

- Other Guidance:

Merthyr Tydfil Town Centre Conservation Area – Character Appraisal (June 2009)

This document defines the positive characteristics that contribute to the special historic or architectural interest of the town centre. It also identifies issues that detract from the character and appearance of the area.

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed change of use, from a B1 use to an A1 use, would be acceptable in this location. The acceptability of the proposal with regards to its impact upon the character and appearance of the premises and the conservation area, residential amenity, parking provision and highway safety are also primary considerations.

Principle of Development

The premises lies within the settlement boundary - Primary Growth Area. SW4 states that development in this location is considered acceptable in principle, provided it is compatible with other relevant LDP Policies and material planning considerations. The premises also lies within the town centre boundary, but lies outside the primary shopping area where a change of use from A1 uses to other uses are generally resisted unless they can meet the criteria set out under EcW5. In this instance however, the proposal seeks to change a B1 use class to an A1 use class and LDP Policies EcW3 and EcW4 are therefore relevant. LDP Policy EcW3 relates to retail hierarchy and states that Merthyr Tydfil Town Centre is the favoured location for retail and other complementary uses where they improve the vitality and viability of the town centre. LDP Policy EcW5 supports development that enhances the vitality and viability of the Town Centre. Whilst the occupation of the site as offices was also an acceptable complementary use, the premises has been vacant for at least 5 years and as such, the proposed A1 use would not only be the preferable A use class in this town centre location, but would also bring the premises back into use, which would contribute positively to the vitality and viability of Glebeland Street and the wider Town Centre. The proposed development would therefore comply with LDP Policies SW4, EcW3 and EcW4.

The site is also sited within a C2 Flood Zone as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). The Flood Map information confirms the site to be within 1% (1 in 100 year) and the 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Taff, a designated main river. Both the existing use and the proposed use however amount to Less Vulnerable Development and as such would be acceptable in this location in this respect. NRW have therefore not objected to this application and consider that the risk could be acceptable provided that the developer is made aware of the potential flood risks and advised to install flood proofing measures as part of the development. A copy of NRW's comments has been sent to the applicant for their consideration. The proposed development would therefore comply with LDP Policy EnW4.

Character and Appearance

The proposed change of use would not result in any external alterations to the building. As such, the proposed development would not cause any adverse impact upon the appearance of the premises, nor would it adversely affect the character of the street scene or the wider conservation area. As such, the development would comply with LDP Policies SW11 and CW1.

Residential Amenity

The premises adjoins two other premises, 54 Glebeland Street located to the east, which currently operates as a take away (Glebeland Fish Bar) and 52 Glebeland Street located to the west, currently a vacant office (also forming part of the Merthyr Express Newspaper). The proposed retail use, which is proposed to operate until 7pm only, would not be considered any more harmful, in respect of noise and disturbance, to the amenities of nearby occupiers than the existing use, particularly within this context, which includes a variety of uses surrounding the application site, such as a take away and a public house which operate until later hours of the evening. As such, the proposed change of use to a

retail shop would not be considered to adversely impact upon the privacy or amenities of nearby residential occupiers and would therefore comply with LDP Policy BW7.

Parking and Highway Safety

The site is not served by any on-site parking provision. However, the application site lies in a sustainable location, being located within walking distance of a bus stop and train station. Therefore, the Engineering and Traffic Group Leader has therefore not raised an objection to the proposed development.

CONCLUSION

It is considered that the proposed development is acceptable in this location and would not adversely impact upon the character or appearance of the conservation area, nor would it be detrimental to residential amenity or highway safety. The proposal is therefore considered acceptable and would comply with the relevant policies.

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.

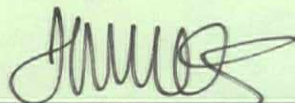
Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

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

- Drawing Title: Building as Proposed, Drawing no: 01, received: 29th July 2020.

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

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

21/9/20.