

# DELEGATED REPORT

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|-----------------------------------------|---------------------------------------------------------------------------------|
| <b>Application No:</b>                  | <b>P/21/0361</b>                                                                |
| <b>Site Address:</b>                    | <b>35A &amp; 35B Cross King Street<br/>Pant<br/>Merthyr Tydfil<br/>CF48 2AG</b> |
| <b>Development:</b>                     | <b>Change of use of beauty salon to form part of existing residential flat</b>  |
| <b>Case Officer:</b>                    | <b>Caroline Pulley</b>                                                          |
| <b>Site Visit:</b>                      | <b>25th October 2021</b>                                                        |
| <b>Application Expiry Date:</b>         | <b>10th December 2021</b>                                                       |
| <b>Consultation reply date expired:</b> | <b>15th November 2021</b>                                                       |

## APPLICATION SITE

The application site relates to a single storey building located along a side street in the residential area of Pant. The building fronts immediately onto the pavement of Cross King Street. It is fully developed within its curtilage and currently comprises a beauty salon and a one bedroom flat across one floor. Visually, the building is formed by a pitched roof structure and a series of monopitch roofs. Neighbouring residential properties are located immediately along the northern, eastern and southern boundaries.

## PROPOSED DEVELOPMENT

This application seeks planning permission to convert the beauty salon to allow it to form part of an existing residential flat. No alterations are proposed to the exterior of the building. Internally, the plans detail the beauty salon being converted to provide an additional bedroom for the existing flat. No changes are proposed to the existing access arrangements, which are in place from Cross King Street.

## PLANNING HISTORY

There is no planning history relating to the building.

## CONSULTATION

|                                      |                      |
|--------------------------------------|----------------------|
| <b>Head of Engineering:</b>          | <b>No objection.</b> |
| <b>Environmental Health Manager:</b> | <b>No objection.</b> |

## **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 from the resident of 3 Pant Villas. A summary of the concerns raised are provided below:

- The writer, while acknowledging that no new windows are proposed, states that the resident of the neighbouring property objects to any new windows to the side and rear of the building;
- Concern is raised that the applicant may have intentions to install new air vents to the side and rear. The writer objects to any proposed vents to the side and rear elevations;
- Concern is raised in connection to the noise arising from the permanent occupation of the property;
- A issue is raised in connection to the storage of a wheelie bin, recycling bin and food waste bin.

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 EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

## PLANNING CONSIDERATIONS

The proposed development seeks permission to change the use of a beauty salon to incorporate the floor space into the existing residential flat. The beauty salon is located outside a defined retail area and is located in a predominately residential area where the principle of the proposed change of use is acceptable, subject to there being no material considerations to indicate the contrary. The main planning considerations in this case are the consequences for:

- The character and appearance of the area;
- The privacy and amenity of neighbours; and
- Highway safety.

### 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 salon to a bedroom to form part of the existing flat. The re-use of the building for residential purposes would not unduly comprise 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 surrounding area is predominantly residential and the proposed use, in terms of noise and disturbance would have no significant detrimental impact on neighbouring residents. Indeed, the proposed residential use would be more compatible and potentially less disruptive to the amenities of nearby occupiers than the former beauty salon use. As such, the proposal would accord with Policy SW11 of the LDP.

### Impact upon Highway Safety.

The Head of Engineering has raised no objection to the proposal. As noted above, the proposed development seeks to change the salon element of the building so that it forms part of the existing flat, which comprises the remainder of the application property. Such a proposal is not considered to have an adverse impact on parking or highway safety.

## Conclusion

Although an objection has been received to this application, having taken account of all the issues outlined above, the application proposal is considered acceptable in terms of its impact upon the character and appearance of the area, compatibility with existing uses and its potential impact upon highway safety.

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 Ground Floor Plan received on 15.10.2021

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

3. Notwithstanding the provisions 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 windows or rooflights shall be installed without the prior express permission of the local planning authority.

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

### **INFORMATIVES**

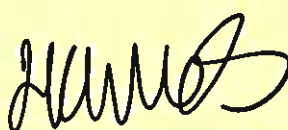
1. The developer shall obtain all other necessary consents **BEFORE** works commence including BUILDING REGULATION approval.
2. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.  
All bats and their roosts are protected under 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:

29/11/21