

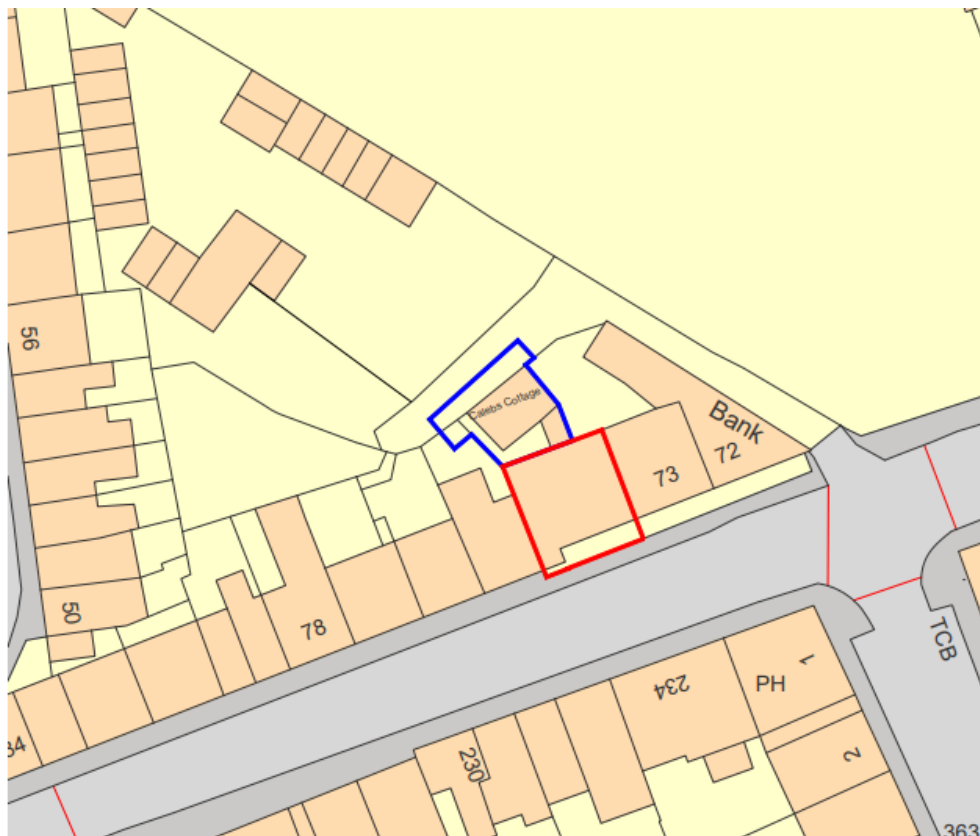
BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Applications Report
Report Author	Team Manager Development Management
Report Date	16th December 2021
Directorate	Regeneration & Community Services
Date of meeting	6th January 2022

Report Information Summary

1. Purpose of Report	
To present planning applications for consideration and determination by Members of the Planning Committee.	
2. Scope of the Report	
Application No.	Address
C/2021/0306	74 KING STREET, BRYNMAWR, NP23 4RG
C/2021/0317	44 BEAUFORT STREET BRYNMAWR EBBW VALE NP23 4AG
3. Recommendation/s for Consideration	
Please refer to individual reports	

Planning Report

Application No: C/2021/0306	App Type: Full
Applicant: Karen Akinci 25 Pentwyn Road Trinant NP11 3LN	Agent: Mr Stephen Traves 4 Rotherwas Close Hereford United Kingdom HR2 6RG
Site Address: 74 KING STREET, BRYNMAWR, NP23 4RG	
Development: Change of use of ground floor offices and first and second floor living accommodation to single dwelling together with associated external alterations.	
Case Officer:	<u>Sara Thomas</u>



1. Background, Development and Site Context

- 1.1 This application seeks to change the use of the property from offices at ground floor with living accommodation at the first and second floor to a single dwelling. The site consists of a mid-terrace, two storey property with

accommodation provided within the roof slope through 2 pitched roof dormers. The site is within the settlement of Brynmawr.

- 1.2 The ground floor of the property is at a higher level than road level and is accessed via steps to the front elevation. The rear of the site adjoins 'Calebs Cottage' which is also within the same ownership as the application site.



Fig. 1.1 Existing Property

- 1.3 The proposed dwelling provides a lounge and kitchen/diner at ground floor level, 3 bedrooms and a bathroom at first floor level and a bedroom at second floor. The existing dormers are proposed to be increased in size and finished with composite cladding.

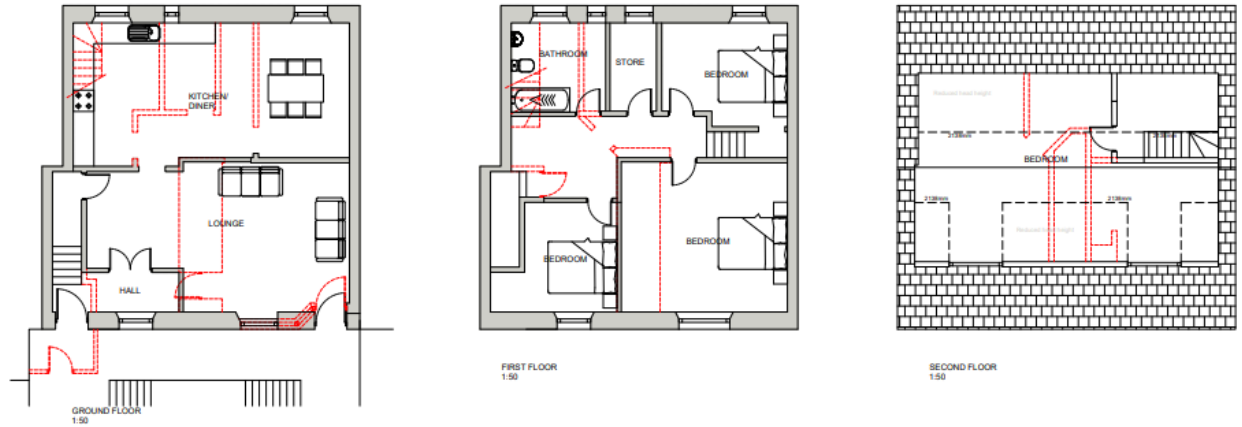


Fig. 1.2 Proposed Floor Plans

- 1.4 There are 2 entrances to the existing property which are proposed to be replaced and finished in stonework to match the existing building. The existing windows are proposed to be replaced with uPVC windows. The stepped entrances and steel balustrading are to remain.

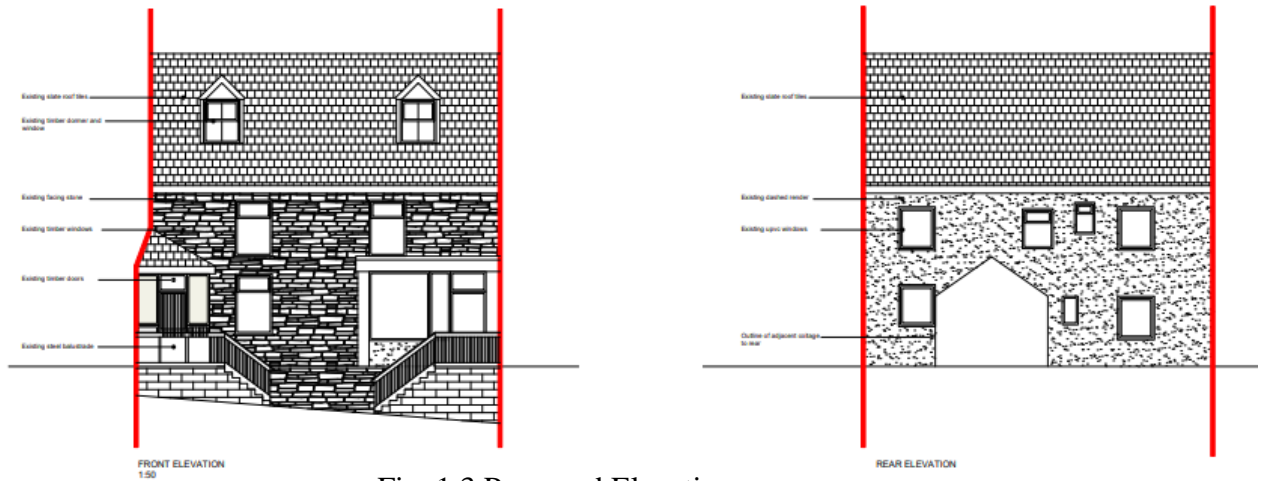


Fig. 1.3 Proposed Elevations

2. Site History			
	Ref No	Details	Decision
2.1	2008/0242	Change of use from offices to private dwelling	Approved
2.2	2004/0168	Conversion of redundant bld to offices & infill (Rear building)	Approved
2.3	2324	Illuminated sign	Approved

3. Consultation and Other Relevant Information

3.1 Internal BG Responses

3.2 Service Manager Infrastructure:

Highways: Whilst the property does not benefit from any off-street parking, it is noted that the proposed use would not result in any net increase in parking/traffic movements when compared to the existing use. In view of this information there are no objections.

3.3 External Consultation Responses

3.4 Welsh Water:

Request the applicant contact Dwr Cymru Welsh Water to establish the location and status of the sewer as the presence of such assets may affect the proposal.

3.5 Public Consultation:

~~Strikethrough to delete as appropriate~~

- 7 letters to nearby houses
- site notice(s)
- ~~press notice~~
- website public register of applications
- ward members by letter
- all members via weekly list of applications received
- ~~other~~

3.6 Response:

3.7 A response has been received from a Member stating no objection.

4. Planning Policy	
4.1	<p><u>Team Manager Development Plans:</u></p> <p>The proposal is contrary to Policy DM5 Principal and District Town Centre Management which states that, the change of use of the ground floor units to residential use in the town centre will not be permitted (criterion d).</p> <p>King Street is a predominantly residential street and the property characteristics are more residential than commercial. The recently published Retail and Leisure study prepared as evidence base for the Replacement Local Development Plan (published August 2021) recommends that the property is removed from the town centre boundary. Planning policy accept this recommendation and consider that this could be a material consideration when determining the planning application.</p> <p><u>LDP Policies:</u> SP3 – The Retail Hierachy and Vitality and Viability of the Town Centre SB1 – Settlement Boundaries DM1 – New Development DM2 – Design and Placemaking DM5 – Principal and District Town Centre</p> <p><u>PPW & TANs:</u> Planning Policy Wales Edition 11 (February 2021) Future Wales: The National Development Plan for Wales (February 2021) Technical Advice Note 4: Retail and Commercial Development (November 2016)</p>
5. Planning Assessment	
5.1	The proposal has been assessed against policies SP3, SB1, DM1 and DM2 of the adopted Local Development Plan (LDP).
5.2	The application site is situated within the settlement boundary and therefore the principle of changing the use to residential would normally be considered acceptable. However, the site is also situated within the boundary of the Brynmawr (District) Town Centre. Policy DM5 ‘Principal and District Town Centre Management’ states that the change of use of ground floor units to residential uses will not be permitted. The proposed change of use to residential is therefore contrary to this policy.
5.3	Nonetheless, the application site is situated on the periphery of the town centre and King Street is recognised as a predominantly residential street and the

	<p>property characteristics are more residential than commercial. Members are also requested to note that the recently published Retail and Leisure study prepared as evidence base for the Replacement Local Development Plan (published August 2021) recommends that the property is removed from the town centre boundary. As a result, the proposed use of residential is considered acceptable in this instance. It is also worth noting that a planning application was granted planning permission in 2008 for the change of use to a dwelling. Whilst a change of use may be considered acceptable in this instance, it does not set a precedent for any future applications which would be determined on their own merits and any future applications involving a proposed residential use at ground floor level could be refused where the circumstances are significantly different.</p>
5.4	<p>The proposed external alterations to the property are not considered to be significant. There are currently 2 entrances to the property accessed via steps which are proposed to be retained, in addition to the finish of the property and siting of the windows. There is an existing porch, which is proposed to be removed however the design of the porch is not in keeping with the existing property and therefore no concerns are raised to its removal. Alterations are proposed to remove the curved entrance and replace the window, with the finish proposed to match the existing and the siting of the window reflecting the existing first floor window, which is welcomed. The existing dormer windows are proposed to be replaced, however the pitched roof design is retained and even though the replacement dormers are larger in scale, they do not appear excessively large within the roof slope. The dormers are proposed to be finished with composite cladding, however this is not considered to detrimentally affect the character of the existing property or wider street scene.</p>
5.5	<p>As noted above, the property is within a predominantly residential area and considering the limited alterations proposed, the proposal will not have a detrimental impact on the residential amenity of any neighbouring properties.</p>
5.6	<p>Policy 2 'Shaping Urban Growth and Regeneration' - Strategic Placemaking' of the Future Wales The National Plan 2040 states that 'To create activity throughout the day and enable people to walk and cycle, rather than being reliant on travelling by car, places should have a rich mix of residential, commercial and community uses within close proximity to each other'. There is no off-street car parking proposed to serve the residential use. On-street car parking is also restricted due to its siting within close proximity to the town centre and parking restrictions. Nonetheless, the site is within a sustainable location served by public transport links and facilities within walking distance. No objection is therefore raised to the lack of parking in this town centre</p>

5.7	<p>location which has been confirmed by the Highway Manager. Furthermore, the Highways Manager has advised that the proposed use would not result in any net increase in parking/traffic movements when compared to the existing use.</p> <p>In conclusion, the proposal complies with LDP Policies SP3, SB1, DM1, DM2 and DM5 and therefore recommend approval accordingly.</p>
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6. Legislative Obligations

6.1	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p>
6.2	<p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>

7. Conclusion and Recommendation

7.1	<p>Planning permission be <u>GRANTED</u> subject to the following condition(s):</p> <ol style="list-style-type: none"> 1. The development shall begin not later than five years from the date of this decision notice. Reason: To comply with the requirements of Section 91 of The Town and Country Planning Act 1990. 2. The development shall be completed in full accordance with the following approved plans and documents 'Site Location Plan' - Drawing No.A100 R.A dated Sept 21 'Proposed Plans and Elevations' - Drawing No.A102 Rev.B dated Sept 21 'Parking Strategy' Reason: To clearly define the scope of this permission. 3. Notwithstanding any details indicated on the approved plans, no development shall take place until details/samples of all external finishes to the approved dormers are submitted to and approved in writing by the Local
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	<p>Planning Authority. The dormers shall be completed in accordance with the approved details before it is brought into beneficial use.</p> <p>Reason: To safeguard visual amenity interests.</p> <p><u>Informative</u> The applicant is advised to contact Dwr Cymru Welsh Water on 0800 917 2652 to establish the location and status of the sewer. Some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.</p>
8. Risk Implications	
8.1	None.

Planning Report

Application No: C/2021/0317	App Type: Full
Applicant: Mr. Julian Frost 35 Bailey Street Brynmawr NP23 4AW	Agent: Creation Design Wales Mr Paul Parsons 88 Bailey Street Brynmawr NP23 4AN
Site Address: 44 BEAUFORT STREET BRYNMAWR EBBW VALE NP23 4AG	
Development: Proposed Change of use of A1 shop unit to A2	
Case Officer:	Sara Thomas



1. Background, Development and Site Context	
1.1	This application seeks to change the use of the property from an A1 (retail) use to an A2 use. The site consists of a two storey property which occupies a corner plot bound by Davies Street to the south, Beaufort Street to the west

and adjoins properties to the north and east. The site is within the settlement of Brynmawr and is also within the Brynmawr Town Centre and within the primary retail area.

- 1.2 The last known use of the property was as a pharmacy at ground floor level and residential at first floor, however both the ground and first floor are currently vacant.



Fig. 1.1 Existing Property

- 1.3 The proposed use provides an A2 use at ground floor for financial and professional services (specifically providing accounting services) consisting of an office area, rest area, meeting room, kitchen and WC. The opening hours are 09.00 to 16.00 hours Monday to Friday and 09.00 hours to 13.00 hours on Saturday. The public entrance is provided from Beaufort Street. The first floor will provide a residential use including 2 bedrooms, an open plan lounge, kitchen and dining room and a bathroom. Access to the residential use is provided from Davies Street. There are no external alterations proposed.

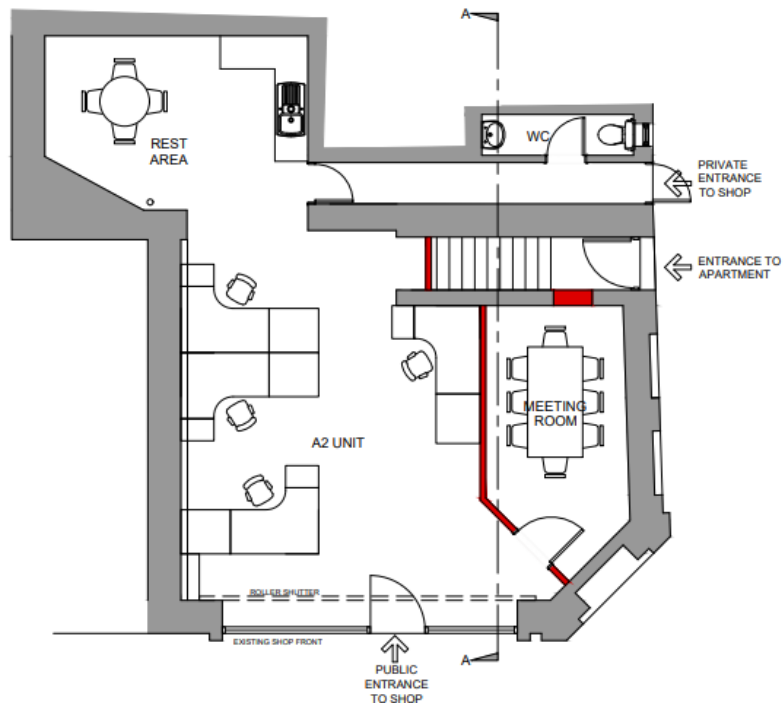


Fig. 1.2 Proposed Ground Floor Plan



Fig. 1.3 Proposed First Floor Plan

2. Site History			
	Ref No	Details	Decision
2.1	2015/0278	2 no. x internally illuminated fascia	Approved
2.2	2006/0503	Two fascia signs & one double sided projecting sign	Approved
2.3	2006/0236	Remove shop front & install new aluminium shop front	Approved
3. Consultation and Other Relevant Information			
3.1	<u>Internal BG Responses</u>		
3.2	<u>Service Manager Infrastructure:</u> Highways: No objection.		
3.3	<u>External Consultation Responses</u>		
3.4	<u>Welsh Water:</u> Request the applicant contact Dwr Cymru Welsh Water to establish the location and status of the sewer as the presence of such assets may affect the proposal.		
3.5	<u>Public Consultation:</u> Strikethrough to delete as appropriate <ul style="list-style-type: none"> • 2 letters to nearby houses • site notice(s) • press notice • website public register of applications • ward members by letter • all members via weekly list of applications received • other 		
3.6	<u>Response:</u>		
3.7	2 responses have been received from Members stating no objection.		

4. Planning Policy

4.1	<p><u>Team Manager Development Plans:</u></p> <p>In order to maintain a high proportion of A1 uses in the Primary Retail Area, Policy DM5 criterion (a) restricts changes of use within the primary retail area of district town centres, such as Brynmawr, to A1 uses only. Therefore, the change of use of this proposal to A2 would conflict with the requirements of policy DM5, and accordingly an objection is raised to this proposal. It is also worth noting that the current use class attached to 44 Beaufort Street is A1 therefore the proposal would result in the loss of an A1 use.</p> <p>However, the town centre survey reveals that the property has been vacant for a number of years and was last recorded as operational as an A1 use (Pharmacy) in October 2017. This is a significant period of time and could be considered as a material planning consideration.</p> <p><u>LDP Policies:</u></p> <p>SP3 – The Retail Hierachy and Vitality and Viability of the Town Centre DM1 – New Development DM2 – Design and Placemaking DM5 – Principal and District Town Centre</p> <p><u>PPW & TANs:</u></p> <p>Planning Policy Wales Edition 11 (February 2021) Future Wales: The National Development Plan for Wales (February 2021) Technical Advice Note 4: Retail and Commercial Development (November 2016)</p>
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5. Planning Assessment

5.1	The proposal has been assessed against policies SP3, DM1, DM2 and DM5 of the adopted Local Development Plan (LDP).
5.2	The application site is situated within the Brynmawr (District) Town Centre and within the primary retail area. Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the Welsh Government's objectives in respect of retail and commercial centres being hubs of social and economic activity and the focal point for a diverse range of services which support the needs of local communities. Whilst the objective recognises that a complementary mix of uses contributes to the vibrancy of those centres, the important role of retailing (A1 uses) continues to be acknowledged with a recommendation to define primary shopping areas, where appropriate.

5.3	<p>Primary shopping areas are designated to help promote and maintain an effective distribution and balance of uses and activities, and are typically characterised by a high proportion of A1 shopping uses. In order to maintain a high proportion of A1 uses in the Primary Retail Area, Policy DM5 criterion (a) restricts changes of use within the primary retail area of district town centres to A1 uses only. Therefore, the change of use which is proposed to A2 would conflict with the requirements of Policy DM5 and accordingly an objection is raised to this proposal.</p>
5.4	<p>Notwithstanding this, PPW paragraph 4.3.36 states that ‘...where economic decline is impacting on a retail and commercial centre, emphasis on retaining A1 uses in premises either in primary or secondary areas, which have been vacant for a period of time, may undermine a centre’s viability and vitality. In such circumstances planning authorities should consider how non A1 uses may play a greater role to increasing diversity and reducing vacancy levels’. The Blaenau Gwent Annual Monitoring Report (AMR) monitors the percentage of A1 uses in the primary retail areas. The 2019-21 AMR shows that the percentage of A1 uses in the Brynmawr primary retail area declined by 3% between 2009 and 2020, which is relatively low. Whilst concerns would normally be raised to the loss of the existing A1 use and the proposed provision of an A2 use within this location, it is noted that the latest annual survey indicates that Brynmawr has the lowest vacancy rate when compared to other towns within Blaenau Gwent. Thus, the loss of this A1 use will not significantly contribute to the reduction in A1 uses within Brynmawr and does not raise any concerns. Furthermore, it is noted that the existing unit was last used as an A1 use in October 2017 and therefore has been vacant for a considerable period of time. This application will therefore result in the property being occupied.</p>
5.5	<p>Taking into account the significant time period the unit has been empty, the relatively low vacancy rates and the success of the existing town centre, the loss of the A1 use and change to an A2 use is considered acceptable in this instance. It is further noted that this does not set a precedent for any future applications which would be determined on their own merits and any future applications involving the loss of an A1 use or changes to uses other than A1 could be refused if there is a significant increase in non-A1 uses.</p>
5.6	<p>The application also involves the provision of a residential use at first floor level. It appears that the first floor was previously used as residential however is currently vacant. The proposal will provide 2 bedrooms, which is considered acceptable in terms of its size. There is no amenity space serving the flat, however this is not unusual situation for flats within town centre locations. The flat is provided with its own separate access which is encouraged. It is also</p>

5.7	<p>noted that the provision of a flat above an A2 use would be permitted development.</p> <p>Policy 2 ‘Shaping Urban Growth and Regeneration’ - Strategic Placemaking’ of ‘Future Wales - The National Plan 2040’ states that ‘To create activity throughout the day and enable people to walk and cycle, rather than being reliant on travelling by car, places should have a rich mix of residential, commercial and community uses within close proximity to each other’. There is no off-street car parking proposed to serve the commercial or residential use. On-street car parking is also restricted due to its siting within the town centre and parking restrictions. Nonetheless, the site is within a sustainable location served by public transport links and facilities within walking distance, no objection is therefore raised to the lack of parking which has been confirmed by the Highway Authority.</p>
5.8	<p>There are no external alterations proposed and therefore the character of the existing property will not be affected by the proposal. Any signage required would be subject to a separate application. The proposed use providing accountancy services during day time hours will also not have a detrimental impact on the residential amenity of any neighbouring dwellings, including the proposed flat at first floor level.</p>
5.9	<p>In conclusion, the proposal is considered acceptable and therefore recommend approval accordingly.</p>
<p>6. Legislative Obligations</p>	
6.1	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p>
6.2	<p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
<p>7. Conclusion and Recommendation</p>	
7.1	<p>Planning permission be <u>GRANTED</u> subject to the following conditions:</p>

	<p>1. The development shall begin not later than five years from the date of this decision notice. Reason: To comply with the requirements of Section 91 of The Town and Country Planning Act 1990.</p> <p>2. The development shall be completed in full accordance with the following approved plans and documents</p> <p>‘Site Location Plan’ - Drawing No.21-135/P/01 dated October 2021 ‘Proposed Ground Floor Plan’ - Drawing No.21-135/P/05 dated October 2021 ‘Proposed First Floor Plan’ - Drawing No.21-135/P/06 dated October 2021 ‘Elevations as Proposed’ - Drawing No.21-135/P/07 dated October 2021 ‘Design and Access Statement’ dated 1st October 2021</p> <p>Reason: To clearly define the scope of this permission.</p> <p>3. The use shall not be carried out outside the hours of 09.00 to 18.00 hours Monday to Friday and 09.00 to 13.00 hours on Saturday. Reason: To safeguard residential amenity</p> <p><u>Informative</u> The applicant is advised to contact Dwr Cymru Welsh Water on 0800 917 2652 to establish the location and status of the sewer. Some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.</p>
8. Risk Implications	
8.1	None.