

<b>DATE WRITTEN</b>	11th December 2020
<b>REPORT AUTHOR</b>	Judith Jones
<b>CASE OFFICER</b>	David Cross
<b>COMMITTEE</b>	Planning and Regulatory
<b>COMMITTEE DATE</b>	10th February 2021

**Application No.**  
P/20/0235

**Date**  
16th November 2020

**Determining Authority**  
MTCBC

**Proposed Development**

**Location**

**Name & Address of Applicant/Agent**

Conversion of house into two 1 bedroom flats

29 Trevethick Street  
Merthyr Tydfil  
CF47 0HX

Mr R Price  
C/o Studio4b  
4 Castle Parade  
Usk  
NP15 1AA



P/20/0235

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## **PURPOSE OF REPORT**

### **To further consider planning application P/20/0235**

At the Planning, Regulatory and Licensing Committee meeting on the 13<sup>th</sup> January 2021, it was resolved to defer the determination of the application to consider a report (prepared by the Housing and Regeneration Division) to be presented to Full Council. Members were informed that this report

would provide information relevant to the facts of the application. It was resolved that the matter be referred back to the next available Committee irrespective of whether the report had been presented to Full Council. This report has not been presented to Full Council and therefore the application is being reported back to Committee for determination.

The merits of the proposed development are considered in detail in the 'planning considerations' section of the report below. No information has been provided that highlights any new issues that would result in a change to the original recommendation.

## **COMMITTEE'S DECISION IS REQUIRED**

### **APPLICATION SITE**

This application relates to an existing 2 bedroom mid-terraced property located within a predominantly residential area. The site is bound by Nos. 28 and 30 Trevithick Street to the west and east respectively. To the north is the main highway serving the property and to the south are mature trees and vegetation.

### **PROPOSED DEVELOPMENT**

Full planning permission is sought for the conversion of the dwelling into two 1 bedroom flats, with one provided at ground floor and the other at first floor level. The exterior of the property would largely remain unchanged. Some minor alterations are proposed to the front elevation, which include the installation of new replacement windows to match the existing and a new front door. On the rear elevation one of the existing ground floor windows would be blocked up and a new window and French doors installed. Internally, the general layout of the property would remain the same with some minor alterations to the partition walls. Each of the flats would include a kitchen and lounge area towards the front of the property with a single bedroom and en-suite provided to the rear.

Both of the flats would be directly accessed from the street using the existing front door and via a small communal hallway. It is noted that any parking requirements for the residents would be accommodated along the street and/or in the nearby parking area to the west of the site.

### **PLANNING HISTORY**

There is no relevant planning history relating to this application site.

### **CONSULTATION**

Head of Engineering - No objection.

### **PUBLICITY**

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties on the 15<sup>th</sup> October 2020. As a result of this publicity exercise two letters of objection and a petition with 69 signatures were received, which raise the following concerns:

- The previous tenant at the property held a number of parties in the early hours of the morning. There are concerns that the sub-division of the property into flats would exacerbate the level of noise and disturbance in the area at unsocial hours.
- Due to there being no rear access to the property, there are concerns that the proposed conversion of the property would present a fire safety risk.
- There are issues with parking in the area.
- The development would de-value existing properties within the street.

In response to the initial objections, the proposed development was revised with the number of flats being reduced from 3 to 2 and a two storey rear extension omitted from the scheme. A further publicity exercise was undertaken on the 16<sup>th</sup> November 2020 with letters sent to the neighbouring properties. Two letters of objection were again received along with another petition signed by 72 residents, which reiterated the same concerns noted above.

## POLICY CONTEXT

The following policies are relevant to the determination of this application:

### National planning policy

*Planning Policy Wales (PPW), Edition 10, December 2018:*

Para 3.5 – 3.15 sets out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Para 3.12 discusses movement and states that ‘...*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. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate...*’

### Local planning policy

*Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031*

- Policy SW4 - Settlement Boundaries
- Policy SW11 - Sustainable Design and Placemaking

## PLANNING CONSIDERATIONS

### Land use principle

The application site is located within the settlement boundary and primary growth area where the majority of new development is generally encouraged. The property is already being used as a dwelling within a well-established residential area. The site is also in a sustainable location, being within walking distance to the town centre and nearby public transport. Therefore, the principle of development is acceptable and complies with policy SW4 of the LDP.

### Design approach

The majority of the properties along Trevithick Street are of a traditional style with narrow frontages and elongated windows that present a consistent rhythm to the fenestration that reinforces the character of the street. There would be no significant external alterations to the property that may otherwise cause harm to the character or appearance of the area. In this regard, it is noted that the new windows and front door would be consistent with the surrounding properties, being of the same size/proportions and style. The installation of the ground floor window and French doors on the rear elevation would also not impact on the character of the area or adversely impinge on the amenities

of the neighbouring properties i.e. loss of privacy. Therefore, the proposal complies with policy SW11 of the LDP.

### Impact on local amenity

Concerns have been raised by local residents that the development would give rise to anti-social behaviour and unacceptable levels of noise and disturbance.

It should be noted that the dwelling is currently vacant and the previous tenant no longer resides at the property. Notwithstanding this, the anti-social behaviour of residents is not a matter for planning to control and would normally be addressed by Environmental Health where there is a statutory nuisance or by the Police.

The existing dwelling currently provides two bedrooms, which could suitably accommodate two, three or four adults living together as a single household or by a small family. The proposal does not seek to increase the number of bedrooms. As such, and an important point to note, there would not be an increase in the number of people that could already reside at the property.

In this instance, there is no evidence to suggest that the conversion of the property would give rise to an increase in the level of noise and disturbance in the area.

Whilst the concerns of local residents are duly noted, the proposal would not result in an intensification of the existing use, to such an extent that it would adversely impinge on the amenities of the neighbouring occupiers. Therefore, the proposal complies with policy SW11 of the LDP.

### Highway implications

The existing property directly fronts on to the adjoining highway and the proposed access into the building would remain as existing, with a separate internal entrance to each of the flats provided via the existing hallway.

Parking within the vicinity of the site is largely accommodated along the adjoining highway or within nearby public parking bays situated to the west of the site. It is acknowledged that the existing dwelling does not benefit from any designated off-street parking provision.

Although the proposal cannot provide any designated parking provision, it is clear that the conversion of the dwelling to flats would not result in an increase in the number of bedrooms provided within the property, which may otherwise give rise to a greater demand for parking in the area. It is noted that the Head of Engineering has not raised any highway safety concerns. Furthermore, it is acknowledged that the flats would be in a sustainable location, being within walking distance to local services and public transport. Therefore, the proposal complies with policy SW11 of the LDP.

### Representations

In addition to the above considerations, it is noted that concerns were raised as a result of the publicity exercises in respect of the potential fire risks and the impact the development would have on the value of existing properties in the area.

In regards to fire safety, it would be necessary for the conversion of the property to comply with the appropriate building regulations outside of the planning process i.e. the installation of fire safety doors, safe means of escape and sprinkler systems etc. As such, these concerns would not amount to a reason to refuse the planning application.

Concerns relating to the potential effect a development proposal may have on the value of neighbouring properties is not a material planning consideration and would not be a reason to refuse the planning application.

## CONCLUSIONS

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.

This application has been carefully considered and whilst the concerns of residents are appreciated, for the reasons stated above, it is considered that the proposal complies with the relevant LDP policies and as such is acceptable. 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.

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 No. PL02 - Property as Existing and Proposed, received 16.11.2020

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