

**ADRODDIAD PENNAETH
CYNLLUNIO, CYFARWYDDIAETH
YR AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

AR 22 AWST 2019

ON 22 AUGUST 2019

***I'W BENDERFYNU
FOR DECISION***

***Ardal
Gorllewin/
Area West***



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	22 AUGUST 2019
REPORT OF:	HEAD OF PLANNING

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<p>APPLICATIONS RECOMMENDED FOR APPROVAL</p>

Application No	W/38894
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Application Type	Full Planning
Proposal & Location	PROPOSE TO CHANGE EXISTING SHOP TO RESIDENTIAL USE AT 15 BRIDGE STREET, CARMARTHEN, SA31 3JS

Applicant(s)	MATTHEW DAVIES, SCHOOL HOUSE, MYNYDDYGARREG, KIDWELLY, UNITED KINGDOM, SA17 4RL
Case Officer	Paul Roberts
Ward	Carmarthen South
Date of validation	24/05/2019

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

Site

The application site consist of a vacant ground floor shop located on the southern end of Bridge Street on the outskirts of Carmarthen town centre. It is an end of terrace property and its side elevation is orientated towards Coracle Way to the south.

The shop is of modest proportions consisting of a relatively small retail area and associated storage and ancillary facilities to the rear. Its front elevation is characterised by a large window opening while access to the shop is via an adjacent front doorway which also serves a first floor residential flat located above the shop. The property has a small rear courtyard and does not have the benefit of any off road parking facilities.

Bridge Street is characterised by a narrow roadway that is flanked by terraced properties which consist of a mix of commercial and residential premises. The commercial properties consist of a mix of office and retail uses. The application property falls within the Carmarthen Town conservation area and Carmarthen Castle is located immediately to the rear.

Proposal

The application seeks full planning permission for the change of use of the vacant shop to residential use in the form of a ground floor flat. The flat is to provide one bedroom accommodation with a lounge and kitchen area to the front of the property and a bedroom

and bathroom to the rear. Access will be via the existing front doorway which will serve both the ground and first floor flats. There will be no external alterations to the building as a result of the proposal.

The applicant has submitted a unilateral undertaking which secures a financial contribution towards affordable housing as part of the proposal.

Planning Site History

D4/11548	Change of use to licensed restaurant with take away food Full planning permission	5 July 1984
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Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1	Sustainable Places and Spaces
SP5	Housing
SP8	Retail
GP1	Sustainability and High Quality Design
H2	Housing within Development Limits.
AH2	Affordable Housing
RT4	Principal Centres (Growth Areas): Town Centre Zone
TR3	Highways in Developments – Design Considerations.
EQ1	Protection of Buildings, Landscapes and Features of Historic Importance.
SP13	Protection and Enhancement of the Built and Historic Environment.

Summary of Consultation Responses

Carmarthen Town Council - No objection.

Local Member - County Councillor A Lenny is a member of the Planning Committee and has made no prior comment on the application. County Councillor G John has also not commented on the application to date.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice within the vicinity of the site.

Two representations have been received from the owners of nearby businesses on Bridge Street who object to the application. The matters raised are summarised as follows:

- The property should be retained for future business use.
- Increased domestic waste which can cause problems with vermin.
- Lack of parking.
- Noise problems associated adjoining businesses.
- Lack of privacy from the large window opening.
- The property is located within a commercial area of the town.

- The property is designed for business with a large ground floor window.
- Anti-social problems associated with residential use.
- Changing to residential will not help existing businesses in the street.

All representations can be viewed in full on our [website](#).

Appraisal

The main issue in the determination of the application is the principle of the proposed use of the application property as a residential unit and its impact upon the retail character and function of Carmarthen town centre.

The application site is located in the southern periphery of Carmarthen town centre as designated in the Local Development Plan. However, it does not fall within the primary or secondary retail frontages of the town centre, as designated in the Plan, which have the highest concentrations of retail and commercial uses and wherein there is a general presumption against non-retail proposals that would undermine the retail character and function of the town centre.

Policy RT4 of the Plan permits proposals for non-retail uses within those areas of the town centre falling outside the primary and secondary retail frontages subject to them achieving a diversity of uses appropriate to a town centre location and not having an adverse impact upon its function, visual character and quality.

Bridge street can be seen to consist of a mix of commercial and residential properties with the former consisting of a number of offices, a training centre and small number of retail units. The latter are primarily located in the northern part of the street close to the retail area of Nott Square although there is a hair salon adjacent to the application property. There is a large residential property directly opposite the application property which consists of a number of residential flats and there are further residential properties along the street particularly at first floor level. The mix of uses along the street is characteristic of its location on the periphery of the town centre and it is not considered that the loss of the small shop and its replacement with a residential flat will unacceptably harm the retail and commercial function of the town centre or its visual quality.

The application property has been vacant for over a year and has only been occupied on an intermittent basis since 2010. The applicant has had three commercial tenants in the property over this time, however, the duration of two of the tenancies did not extend further than a 6 month period while latterly it was used a hair dressing salon for a two year period before becoming vacant again. Despite actively marketing the property for retail and commercial purposes it has only therefore been occupied for a three year period since 2010 which the applicant suggests is unsustainable from a financial perspective. The property's location on the periphery of the town centre and the lack of pedestrian movements along Bridge Street are key contributory factors for the lack of commercial interest in the property and this is unlikely to change whereby the property would potentially remain vacant in the future.

The proposal will provide a beneficial residential use of the vacant and underused commercial property being located in a sustainable town centre location while being compatible with neighbouring commercial and residential uses in Bridge Street. It will also contribute towards the supply of smaller units of residential accommodation within the town while at the same time making a financial contribution towards the provision of

affordable housing within the wider area in accordance with the requirements of Policy AH1 of the LDP.

The proposal is therefore in accord with the objectives of Policies SP1 and RT4 of the LDP in that it will re-use a vacant and underused building while not resulting in any adverse impacts upon the function and visual character of the town centre. Moreover, it is in compliance with the policy objectives of advice contained in paragraphs 4.3.36 and 4.3.37 of Planning Policy Wales which recognise that an emphasis on retaining retail uses in town centre locations which have been vacant for some time can undermine a centre's viability and vitality and consideration should be given to alternative uses that can increase the diversity and vacancy levels. It also highlights the benefits that residential uses can have on retail and commercial centres by contributing to their viability and vibrancy.

Turning to the other matters raised by the respondents, whilst concerns regarding the lack of parking are noted, nonetheless the property is located in a sustainable town centre location within walking distance of a number of public car parks as well as the train and bus stations in the town. The proposal is therefore in accord with policy TR3 of the LDP in terms of its likely parking and highway impacts.

Concerns regarding anti-social behaviour resulting from the development are outside the scope of planning control and it is not envisaged that the creation of a small new residential flat will result in any unacceptable refuse or vermin impacts. Contrary to the respondents' suggestion that existing businesses will impact upon the living conditions of the new occupiers, there are already number of existing residential properties within the street and the use of the building as a residential flat is considered to be compatible with the adjoining hair salon and other neighbouring commercial uses.

Finally, whilst it is acknowledged that the large window to the front of the property is not normally associated with residential properties, nonetheless it does not preclude the use of the property for such purposes nor is it a sound basis upon which to refuse permission. Moreover, the retention of the window in its current form will allow for the potential re-use of the property for retail purposes in the future should the need arise. It will also ensure there will be no unacceptable impact upon the character and appearance of wider conservation area wherein it is located in accordance with the policy requirements of Policies EQ1 and SP13 of the LDP

Planning Obligations

A Unilateral Undertaking has been submitted to secure an affordable housing contribution in accordance with Policy AH1 of the LDP.

Well-being of Future Generations (Wales) Act 2015

The decision considers 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). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy. The proposal will provide a beneficial use for a vacant and underused building in the town centre without causing any unacceptable harm to the function, visual character and quality of Carmarthen town centre. Furthermore there are no sustained highway, amenity or historic conservation objections to the development.

The application is therefore put forward with a favourable recommendation subject to the completion of a Unilateral Undertaking securing an affordable housing contribution as part of the development.

Recommendation – Approval

Conditions

- 1 The works hereby granted consent shall be commenced before the expiration of five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information received on 9 May 2019:-
 - 1:1250 scale location;
 - 1:50 scale existing and proposed ground floor plan: Internal.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.

Notes/Informatives

- 1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).
- 3 The applicant is advised that this planning permission is subject to a Unilateral Undertaking requiring the payment of a financial contribution of £3,135.37 towards the provision of affordable housing.