

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0752/COU 05.11.2014	Ms K Cousins 52 Heol Hir Llanishen Cardiff CF14 5AE	Change the use from A1 shop to A2 estate agent, including a new shop front and the conversion of the upstairs office/store room to a 2 bedroom independent flat 3 Bartlett Street Caerphilly CF83 1JS

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: On the northern side of Bartlett Street near the junction with Broomfield Street, Caerphilly.

Site description: No.3 Bartlett Street is a two-storey mid-terrace property located in a prominent location near the junction of Bartlett Street and Cardiff Road, opposite the Irish Tymes Public House within the identified Principal Town Centre of Caerphilly. The application site includes a 'warehouse' building to the rear of the retail premises, which has vehicular access from Broomfield Street.

Development: Change the use from A1 shop to A2 estate agent, including a new shop front and the conversion of the upstairs office/store room to a 2- bedroom independent flat.

Dimensions: External dimensions of the property would remain unchanged.

Materials: The glazed aluminium shop front would be replaced by a glazed uPVC shop front.

Ancillary development, e.g. parking: None.

PLANNING HISTORY

5/5/91/0580 - Change use of 1st floor from offices to showroom / sales area and install staircase - Granted 15.10.1991.

5/5/91/0344 - Change the use of first floor office to residential flat - Granted 11.07.1991.

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Application Number 14/0752/COU Continued

14/0753/ADV - Erect Signage - Not yet determined.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Land within the settlement boundary and a principal town centre (policy CM1.5).

Policies: SP5 (Settlement Boundaries), CW14 (Use Class Restrictions - Retail), CW2 (Design Considerations - Amenity) and CW3 (Design Considerations - Highways).

Supplementary Planning Guidance LDP 12 (Shop Fronts and Advertisements).

NATIONAL POLICY Planning Policy Wales (2014); Technical Advice Note 4: Retail and Town Centres; Technical Advice Note 23: Economic Development.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not Applicable..

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The property is within the Coal Authority referral area but this type of application does not require the submission of a report.

CONSULTATION

Transportation Engineering Manager - No objection.

Dwr Cymru - No objection, but makes comments of which the applicant should be advised.

ADVERTISEMENT

Extent of advertisement: Eight neighbours notified.

Response: None.

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Application Number 14/0752/COU Continued

Summary of observations: None.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

There are no specific crime and disorder issues in this instance.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? The proposed development is a sui generis commercial use, for which, the CIL liability is nil.

ANALYSIS

Policies: This application has three different elements which include the change the use from A1 shop to A2 estate agent, a new shop front and the conversion of the upstairs office/store room to a 2 bedroom independent flat.

Firstly, in respect of the change of use, consideration is given to the Council's Local Development Plan 'Objective 22', which seeks to "Maintain the vitality, viability and character of the County Borough's town and village centres, and re-establish them as a focus for economic activity and community pride". Key to this Objective is promoting footfall and allowing change to increase economic activity.

In assessing this application for change of use from A1 retail to an A2 use, in the principal centre, the key considerations are given to Policy CW14.

Policy CW 14 provides policy constraints that aim to maintain the character, vitality and viability of the principal town centres, through placing restrictions on changes to the use of A1 retail units to other uses, unless the centre as a whole has been subject of a vacancy rate greater than 10% over a period exceeding the previous 12 months.

In terms of Policy CW14, the last recorded vacancy rate (October 2014) is under 10%, as it was previously in October 2013. The latter year was the first year in six that it had dropped below 10%. In respect of Policy CW14, the proposal to change the use of the ground floor of the premises to an A2 use would be contrary to the policy.

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Application Number 14/0752/COU Continued

However, it is important to consider the positive effects an occupied unit will have over a potentially empty unit and from this perspective consideration needs to be given to whether the unit meets the intentions of Objective 22 in promoting footfall and increasing economic activity. An empty unit does not promote footfall, whereby a unit in occupation will have benefit to some degree. In this case the proposed use is for a Class A2 use, of which the applicant has subsequently more specifically identified it as use by an estate agents. Whereas the impact on footfall generated by most A2 uses would be unlikely to be significant, it is considered that the footfall generated by a betting shop, would be of greater benefit to the vitality of the retail centre than a vacant unit.

It is acknowledged that the three other properties within this retail block are non A1 and that the change of use of 3 Bartlett Street as proposed would reflect the existing retail uses in the block. Whilst the unit is vacant it does not generate any footfall within the town, however, there is likely to be an increase in footfall were the unit to be occupied.

TAN 23 Economic Development indicates that economic aspects of all forms of development and planning decisions should be made in a sustainable manner and should balance social, environmental and economic considerations. The proposed change of use would bring a vacant property back into economic use, and create employment in the town.

On balance therefore, the beneficial economic and environmental considerations that would be realised by this property being upgraded and brought into beneficial use, outweighs the negative impact that the vacant unit has on the street scene at this prominent location. Therefore the proposed change of use is recommended for approval on this basis.

The second aspect of this application is the proposed replacement shop front which would be in proportion to the scale of the site and its design and materials is in keeping with the surroundings. The proposed fascias and stall risers respect the scale, design and architectural features of the building as a whole, and of the adjacent properties. The improvements to the shop front at this key location would improve the street scene considerably. Specifically, it will introduce an active frontage at this location and improve the street scene in general. Therefore when considering the context of the existing property and the resulting development it is felt that the proposal would be acceptable in this instance. It should also be noted that there would be no greater impact on the amenity of the adjacent properties than the existing situation.

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Application Number 14/0752/COU Continued

The third part is the introduction of a two bedroom residential flat at first floor level. This change from storeroom to flat is development that would normally be permitted by virtue of the Town and Country Planning (General Permitted Development) Order 1995, in respect of a change of use to the first floor above either an A1 or A2 use. However, this proposal also includes the insertion of a new door in the front elevation alongside the new shop front. All of the other alterations to facilitate the flat would be internal to the building. There would be no policy objections to this part of the proposal and there are no objections to this aspect from any of the Consultees.

The proposals would not result in the over-development of the site and would have no detrimental impact on the safe, effective and efficient use of the transportation network.

Comments from Consultees: No objections are raised by statutory consultees.

Comments from public: None.

Other material considerations: The development is considered acceptable in all other aspects.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Advisory Note(s)

Please find attached the comments of Welsh Water that are brought to the applicant's attention.