

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2020/0758	<u>DATE:</u> 08/09/2020
PROPOSAL:	Change of use of existing domestic garage to Beauty Treatment Room and storage.
LOCATION:	21 Broad Street, Port Talbot SA13 1EW
APPLICANT:	Mrs Samara Richards
TYPE:	Port Talbot
WARD:	Full Plans

BACKGROUND

Following a delegated panel, the three Port Talbot Ward Members have requested that the application is determined at Planning Committee due to their concerns about parking and highway safety.

The Call-In Panel subsequently met and agreed that the application should be reported to Committee.

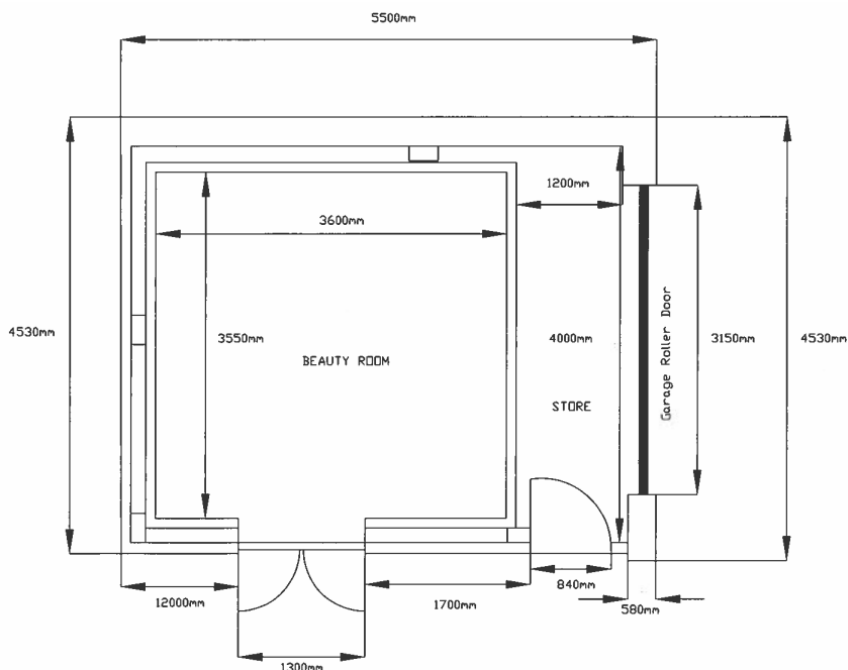
SITE AND CONTEXT

The application property consists of a detached garage located within the garden of an end of terrace residential property at 21 Broad Street, Port Talbot.

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the change of use of part of an existing single car garage into a room for beauty treatments, the remaining space will be used for storage ancillary to the enjoyment of the dwelling (see plan extract below).

External alterations proposed to the garage include changing an existing window into an access door in order to facilitate access through the garden. The existing garage door fronting York Place will remain unchanged.



The supporting information details the use as 'beauty treatments' administered on a one-to-one basis. The number of clients admitted each day is expected not to exceed 4 in number, with each made by appointment only (no drop-ins). The opening hours are 10.00am to 5.00pm Mondays to Friday and 10.00am to 1.00pm on a Saturday. Access to the facility is detailed as being through the side access gate of the residential property into the garden amenity space before reaching the garage.

NEGOTIATIONS

None

PLANNING HISTORY

The application site has no relevant planning history.

CONSULTATIONS

Environmental Health: No objections

Head of Engineering and Transport (Highways): Initially raised objection, however have since confirmed that they do not raise objection (based on the temporary nature of the consent and that the garage door on York place will remain with a sign indicating garage in constant use).

REPRESENTATIONS

The neighbouring properties were consulted on September 8th 2020. To date no representations have been received.

REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

National Planning Policy:

[Planning Policy Wales](#) (Edition 10) was extensively revised and restructured at the end of 2018 to take into account the themes and approaches set out in the Well-being of Future Generations (Wales) Act 2015, and to deliver the vision for Wales that is set out therein.

PPW10 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

Local Planning Policies

The Development Plan for the area comprises the [Neath Port Talbot Local Development Plan](#) which was adopted in January 2016, and within which the following policies are of relevance:

- **Policy BE1** Design
- **Policy TR2** Design and Access of New Development

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Parking Standards](#) (October 2016)
- [Design](#) (July 2017)

Issues

Having regard to the above, the main issues to consider in this application relate to the impact on the visual amenity of the area, the amenities of neighbouring residents and highway safety.

Impact on Visual Amenity

The proposed alterations to the garage are minor and involve the replacement of a window within the side elevation (facing the garden) to patio doors. These alterations are considered to be minor and in keeping with the design of the garage structure. Consequently, they will not adversely affect the visual appearance of the structure nor that of the residential setting to which the garage is located.

In view of the above, there is no adverse impact on visual amenity.

Impact on Residential Amenity

The change to patio doors has the potential to increase overlooking over and above what is currently experienced by the existing window. The reason being the increased frequency that the garage could potentially be in use following the proposed change of use. Therefore to eliminate the potential overlooking on the neighbour, a condition is recommended requiring the patio doors to be obscurely glazed.

In terms of noise and disturbance associated with the use, this will have to be strictly controlled in order to safeguard the amenity of the immediate neighbouring properties. In this respect an intensive, full-time use would be unlikely to be acceptable. The proposal, however, is for a maximum number of 4 customers each day, operating Monday through to Friday (10.00am to 5.00pm) and Saturdays (10:00 to 1.00pm).

In this respect, it is anticipated that the majority of noise will not come from the treatment itself but the comings and goings/visitations of the customers. This will thus need to be controlled by imposition of a

condition which restricts the maximum number of customers each day, as well as hours of operation with appointments made by pre-booking with only 1 number customer allowable on the premises at any given time.

In addition, in order to fully ascertain the impact of this new use on residential amenity, it is recommended that any permission granted would be of a temporary nature (2 years from consent being granted).

Furthermore it is emphasised that this use is only considered acceptable given the limited nature/ intensity detailed by the applicant. Any further intensity to that described by the applicant would be more akin to full-time commercial use, which would be likely to have greater impacts on amenity and thus be more appropriately located within a retail area or shopping street.

The Environmental Health department offered no adverse comments.

Therefore in view of the above it is considered that the subject to the imposition of conditions there will not be an unacceptable impact on residential amenity.

Parking and Access Requirements and Impact on Highway Safety

The Head of Engineering and Transport (highways) initially raised an objection due to the applicants statement that “there is ample parking in the area to accommodate one vehicle which I assume could be parked in front of the garage door as this will no longer be required for vehicle access”. The concerns related to the fact that parking in front of the garage would obscure visibility for vehicles exiting the adjoining rear lane.

Officers have noted that there are no current restrictions (i.e. double yellow lines) precluding parking in front of the garage currently, nor generally within the immediate vicinity. Moreover, it is considered that the level of traffic generated as a result of a maximum 4 customers spread out over a 7 hour period, on an area with a reasonable amount of available, unrestricted on street parking, would not impact on highway and pedestrian safety at a level that would warrant refusal of the application. Nevertheless, discussions with the highway officer have raised potential concern over parking in front of the garage, and it is considered that this can be addressed through the retention of the garage door (which is to be retained in any event) and a condition requiring

provision (and retention) of signage to indicate that the garage is in constant use, thus acting as a deterrent to parking in front of the structure.

The Head of Engineering and Transport (Highways) has assessed the proposal and is of the opinion that due to the temporary nature of the proposed consent (which would allow an assessment of any highway safety impacts during its initial period of operation) coupled with the aforementioned signage, highway and pedestrian safety will not be adversely affected. Accordingly, the highway officer has withdrawn initial objections, and now raises no objection.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that, subject to conditions restricting the intensity of use and a limitation to a two year temporary permission, that the proposal represents an appropriate form of development that would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies BE1 (Design) and TR2 (Design and Access of New Development) of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION Approve with Conditions

Conditions:-

Time Limit Conditions

- 1 The use shall be discontinued and any associated paraphernalia associated with the use shall be removed from the land in its entirety and the structure shall be restored to its former use within 2 years of the granting of the planning permission hereby approved.

Reason:

To allow the Local Planning Authority to assess the potential impacts of the development over time, having regard to the need to protect amenity and highway safety as required by Policy BE1 of the Neath Port Talbot Local Development Plan.

List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans and documents:
 - Site Plan 1:200
 - Red Line Location Plan 1:1250
 - Project NO 1 Drawing NO 2
 - Project NO 1 Drawing NO 1
 - Project NO1 Drawing NO 3
 - Project NO1 Drawing NO 4

Reason:

In the interests of clarity.

Regulatory Conditions

- 3 The use hereby approved shall only be operated in association with, and by a single person residing in, no. 21 Broad Street, Port Talbot.

Reason:

Since the use is only considered acceptable (on a temporary basis) and in compliance with Policy BE1 of the Local Development Plan in respect of its impacts on residential amenity and highway safety, as a small-scale business run by a person residing in the existing dwelling at 21 Broad Street

- 4 The use shall not be carried out outside the hours of 10.00am to 5.00pm Monday to Friday, 10.00am to 1.00pm on Saturdays.

Reason:

In the interest of residential amenity and to ensure the development complies with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan.

- 5 The use hereby approved shall be restricted to a maximum number of 4 customers each day, Monday through to Friday and a maximum 2 number customers on Saturday. There shall be no cross-over of customers with appointments made by pre-booking with only 1 number customer allowable on the premises at any given time.

Reason

In the interest of residential amenity and to ensure the proposal accords with Policy BE1 of the Local Development Plan.

- 6 Prior to the first operation of the Beauty Treatments use hereby approved, the patio doors within the side elevation shall be fitted with obscured glazing, and shall thereafter be retained as approved.

Reason

In the interest of residential amenity and to ensure the proposal accords with Policy BE1 of the Local Development Plan.

- 7 The use hereby permitted shall not commence until such time as a sign has been displayed on the garage doors stating "Please Do Not Park : Garage in Constant Use" and thereafter the use shall only operate when such signage is in place.

Reason

In the interest of highway safety and to ensure the proposal accords with Policies BE1 and TR2 of the Local Development Plan.