

PLANNING COMMITTEE	DATE: 16/10/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	DOLGELLAU

Number: 4

Application Number: C17/0680/45/LL

Date Registered: 31/07/2017

Application Type: Full - Planning

Community: Pwllheli

Ward: Pwllheli North

Proposal: Change of use from a residential dwelling (C3) to a dental surgery (D1)

Location: 4, Trem Y Marian, North Quay, Pwllheli, Gwynedd, LL535YR

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

- 1.1 Full application for the adaptation of a two-storey residential dwelling (C3) into a dental surgery (D1). The interior changes are restricted to the adaptation of the building's layout only. The adaptation will include a toilet, treatment room and waiting room / reception on the ground floor and a bathroom and treatment room / office on the first floor. It is a semi-detached house within a row of another four semi-detached houses. The site is narrow and located between the railway to the north-west and an unclassified county road to the south-east. The site is served by Pay and Display parking spaces across the county road. Please note also that the site is located near a taxi rank, railway station and within 180 metres of a bus stop.
- 1.2 This site has not been afforded any particular land designation and the site is located within the town's development boundary as defined in the LDP.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 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 the 7 well-being goals within the Act. 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, 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.
- 2.3 **Gwynedd and Anglesey Joint Local Development Plan 2011-26 adopted 31 July 2017**

2.4 National Policies:

TRA 2 - Parking Standards
 TRA 4 - Managing transport impacts
 PCYFF 2 - Development Criteria
 PCYFF 3 - Design and Place Shaping
 PS 19 - Protect and/or enhance natural environment
 CYF 6 - Re-use and adapt rural buildings or a residential unit for business use or construct new units for business/industry.

3. Relevant Planning History:

- 3.1 Application number C11/0650/45/LL - Removal of condition 2 from permission C09D/0404/45/LL which restricts the use of units number 7 and 8 to class B1 (offices) in order to use them as residential houses to sell on the open market - Approved on 19/10/2011

Application number C10D/0405/45/2017 - Removal of condition 2 from permission C09D/0404/45/LL which restricts the use of units number 7 and 8 to class B1

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(offices) in order to use them as dwelling houses to sell on the open market - Refused on 24/01/2011

Application number C09D/0404/45/LL - Full application to retain use and conversion work of four living/work units to four two-bedroom dwelling houses together with the construction of the four remaining living/work units of the development of eight as four dwelling houses together with creating a car park for ten vehicles - Approved on 03/02/2010

Application number C08D/0217/45/LL – Demolition of former single-storey clubhouse and construction of four two-storey buildings containing two living/work units each, together with associated parking provision - approved on 20/06/2008

Application number C07D/0283/45/LL – Demolition of former clubhouse and construction of four two-storey buildings containing a living/work unit each and a parking provision for ten vehicles - Refused on 21/08/2007 and an appeal was upheld against the Council's decision on 27 February 2008

Application number C07D/0583/45/LL – Demolition of former single-storey clubhouse and construction of four two-storey buildings containing two living/work units each with commercial/work use on the ground floor and one-bedroom living use on the first floor, together with associated parking provision - Refused on 20/12/2007.

Application number C06D/0623/45/LL – Demolition of former single-storey clubhouse and construction of four two-storey buildings containing one living/work unit each, and parking provision - Approved 23/03/2007.

Application number C05D/0480/45/AM – Demolition of existing building and construction of two single-storey buildings containing two bedsits each (four commercial units with associated living unit) - Refused on 10/10/2005.

Application number C04D/0499/45/LL – Demolition of existing building and construction of eight two-storey residential units and two commercial units together with associated parking - Refused on 11/10/2004 and an appeal against the Council's decision was dismissed on 06/05/2005.

Application number C04D/0748/45/LL– Demolition of existing building and construction of four mixed units with commercial unit on the ground floor and a residential unit for the owner/manager above, together with associated parking - Refused on 11 February 2005.

4. Consultations:

Community/Town Council: No objection.

Transportation Unit: I refer to the above application, and confirm that I have no objection to the proposal.

The site is located within a reasonable distance of the train station, bus station and taxi rank, and is located adjacent to pay and display parking provision on the street. Therefore, it is assumed that the proposal would not have a detrimental

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impact on the local roads network.

Network Rail:

No objection, but propose observations regarding the location of the property in relation to the railway.

Public Consultation:

A notice was posted on site and nearby residents were notified and a correspondence was received within the statutory publicity period, objecting on the following grounds:

- The units have not been designed for commercial use.
- That there are many commercial properties within the town that would be suitable for use as a dentist surgery.
- Noise emanating from dental surgery activities.
- The parking areas at the end of the terrace will not be sufficient for the dental surgery's staff.
- The patients attempting to find the dental surgery would be likely to disturb nearby residents.
- The double yellow lines outside the property are likely to create difficulties for vehicles delivering and picking-up goods at the dentist surgery.
- Installing signs outside the building would impair the property's appearance.
- Approving the application would set a precedent other commercial uses.

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As well as the above objections, objections were received that were not material planning objections and these included:

- That there was a clause on the deeds which restricted the use of the property to a single house.
- The proposed use would reduce the value of adjacent property.
- Patients would cause nuisance to local residents.
- Dental surgery equipment would cause a fire risk and increase the potential for burglary.
- The discharge of dental surgery chemicals would impair the site's drains.
- Concern that the proposed use would only pay limited commercial rates.
- No other commercial property in the terrace.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The proposal involves adapting a house into a dentist surgery. This site is located in the centre of a row of residential dwellings and within the town's development boundary. It can be seen from the planning history that planning permission was granted originally for the development of living / working units on the site. It is acknowledged that the units were converted into houses later. However, it is considered that the site is suitable for the purposes of the development. Policy CYF 6 is relevant to this application. The policy supports the adaptation of residential units for business use provided that the proposal satisfies the policy's criteria. It is felt that the location, scale and nature of the proposal complies with the policy's criteria. The site is located within the town's development boundary and therefore the proposal complies with Policy PCYFF 1 of the LDP.

Visual amenities

- 5.2 The proposal involves adapting an existing two-storey house into a dental surgery. Although the proposal will include minor interior changes, the plan does not show exterior changes; the property's appearance stays the same. Therefore, it is unlikely that the proposal will have a substantial harmful impact on the area's visual amenities. The proposal is not contrary to policy PCYFF 3 of the LDP.

General and residential amenities

- 5.3 The application was advertised on the site and nearby residents were notified and six items of correspondence were received objecting to the application. The property is located in the centre of a row of four semi-detached houses with good and convenient links to public transport services within the town. Note that nearby residents have

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expressed concerns regarding the possible impact of the proposal on their property. They have also stated that there is a clause on the site's deeds which restricts the use of the units to houses only; this is a private matter under the management of the landowner and this would not prevent the Council from considering or approving alternative uses. In relation to the concern regarding the disturbance caused to nearby residents from the use; it must be realised that the site's planning history shows that the units were originally approved as living/working units and that the site is located between the railway and the county road, and within approximately 100 metres of a commercial garage and restaurant. It is not uncommon for a dental surgery to be located amongst houses and the use would provide two treatment rooms and offer a specialist service to the community. The residents' concerns regarding the proposal are realised; however, it is not felt that approving the application would have a substantial impact on nearby residents to an extent which would justify refusing the application. It is not considered that the proposal is contrary to policy PCYFF 2 of the LDP.

Transport and access matters

- 5.4 The proposal involves adapting a house into a dentist surgery. No exterior changes are to be made. The applicant states that no parking details have been submitted with the application; however, the objectors state that two parking spaces have been allocated for the occupants of the houses at the end of the row, but that this provision would not be sufficient for the proposal. It must be acknowledged that a Pay and Display parking area is located adjacent to the site, that the site is located near a taxi rank, railway station and within approximately 180 metres to a bus stop. Therefore, it is felt that the site/proposal is accessible to the workforce and public, whether on foot or in vehicles and the observations of the Transportation Unit were received which confirmed this. It is not considered that the proposal would be contrary to policy TRA 2 or TRA 4 of the LDP.

Response to the public consultation

- 5.5 Full consideration was given to the relevant matters raised as a result of the statutory publicity given to the application, and it is not considered that the objections received justify refusing the application in this case.

6. Conclusions:

- 6.1 Having considered the proposal against the above-mentioned relevant policies it is considered that the proposal is acceptable and in accordance with the policy requirements.

7. Recommendation:

- 7.1 To approve – conditions
1. Five years
 2. In accordance with plans
 3. Opening hours between 9am and 6pm, Monday to Saturday.