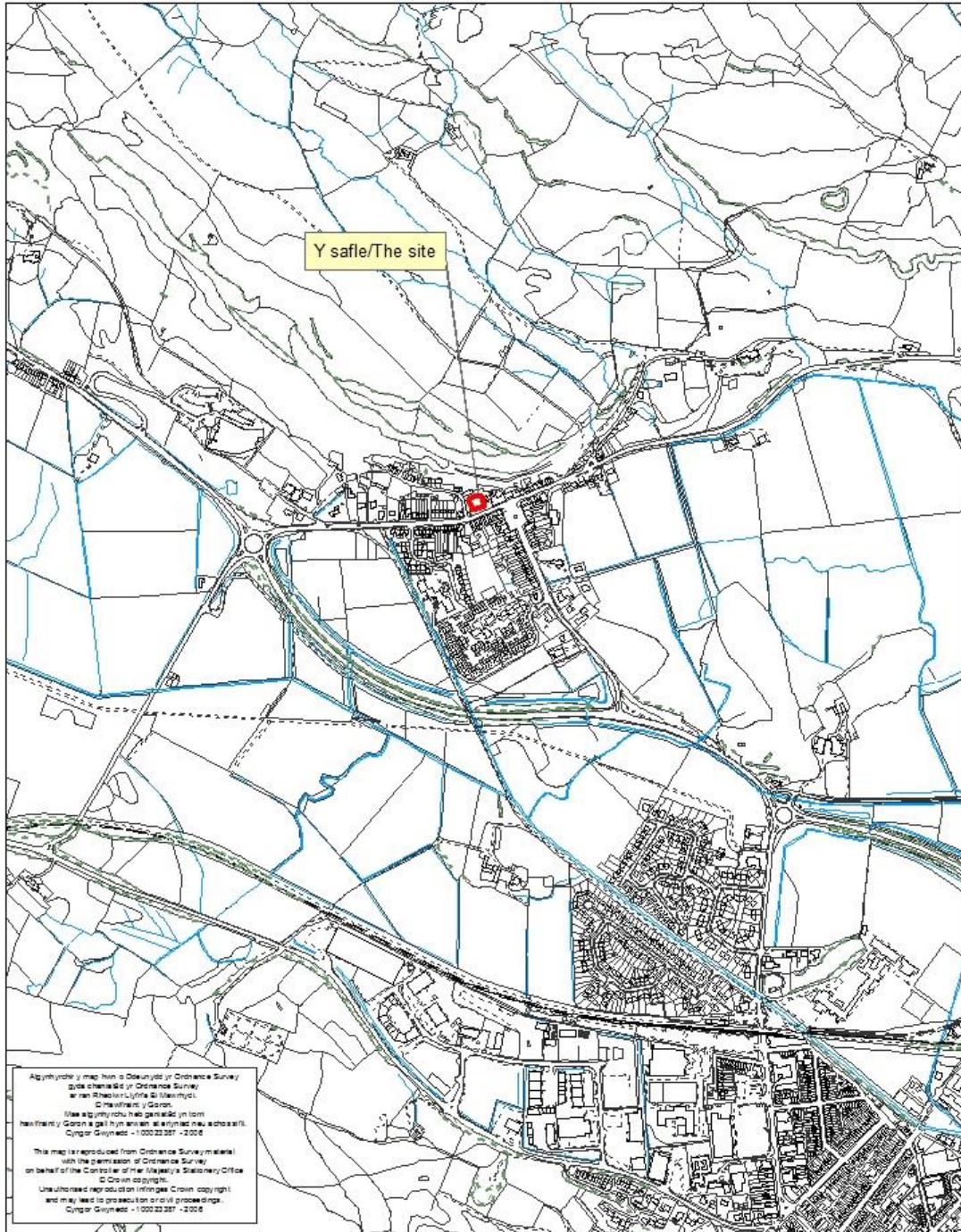


Number: 8



Rhif y Cais / Application Number : C15-0255-44-LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



PWYLLGOR CYNLLUNIO	DYDDIAD: 15/06/2015
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	CAERNARFON

Application Number: C15/0255/44/LL
Date Registered: 01/05/2015
Application Type: Full - Planning

Community: Porthmadog
Ward: Porthmadog East

Proposal: CHANGE OF USE OF A1 BUSINESS USE (SHOPS) TO D2 BUSINESS USE (ASSEMBLY AND LEISURE) TO ENABLE THE PROVISION OF MARTIAL ARTS CLASSES

Location: FORMER FURNITURE WALES, HEOL DULYN, TREMADOG, PORTHMADOG, GWYNEDD, LL49 9RH

Summary of the Recommendation:

TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 This is an application for the change of use of a building from an A1 (shop) to a D2 use (assembly and leisure) for its use as a studio to provide martial arts classes. The unit has been used as a retail warehouse but has been empty for some time. It is not intended to make any external alternations.
- 1.2 The site is located within the development boundary and conservation area of Tremadog. The site is served by the A498. A joinery workshop is attached to the building on its western site with listed terraced houses on its eastern side.
- 1.3 The application is brought to the Planning Committee as more than three objections have been received.

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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Gwynedd Unitary Development Plan 2009:

POLICY B3 – DEVELOPMENTS AFFECTING THE SETTING OF LISTED BUILDINGS

Ensure that proposals have no effect on the setting of Listed Buildings and that they conform to a series of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

POLICY B4 – DEVELOPMENTS IN OR AFFECTING THE SETTING OF CONSERVATION AREAS

Ensure that proposals within conservation areas, or proposals that affect their setting, are refused unless they aim to maintain or enhance the character or appearance of the conservation area and its setting.

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POLICY B23 – AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals must conform to a series of criteria aiming to safeguard the recognised features and amenities of the local area.

POLICY C3 – RE-USING PREVIOUSLY DEVELOPED SITES

Proposals that give priority to re-using previously developed land or buildings that are located within or near development boundaries will be permitted provided the site or building and the proposed use are appropriate.

POLICY C4 – ADAPTING BUILDINGS FOR RE-USE

Proposals to adapt buildings for re-use rather than demolition will be approved provided they can conform to specific criteria relating to the suitability of the building, visual considerations, design and the impact on the vitality of neighbouring towns and villages.

POLICY CH30 – ACCESS FOR ALL

Proposals for residential/business/commercial units or buildings/facilities for public use will be refused unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

POLICY CH33 – SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

Policy CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

POLICY D10 - CONVERTING BUILDINGS FOR INDUSTRIAL OR BUSINESS USE.

Proposals to change the use of buildings to small scale industrial or business use will be approved provided the chosen location can be justified and they conform to specific criteria regarding the scale and nature of the development and the relationship of the development with nearby buildings/uses.

2.3 National Policies:

Planning Policy Wales, Edition 7, 2014

3. Relevant Planning History:

- 3.1 C06D/0284/44/LL – adaptations to shop frontage. Approved 24/07/06
- 3.2 C03D/0272/44/CR – demolish part of listed building due to extensive fire damage. Refused 16/07/03
- 3.3 C02D/0518/44/LL – delete condition 2 on planning permission C01D/0218/44/LL to permit trading on Sundays and bank holidays. Approved 20/01/03
- 3.4 C01D/0218/44/LL – change of tyres depot to furniture showroom/salesroom unit. Approved 18/06/01

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4. Consultations:

Community/Town Council: No objection

Public Protection: Not received

Transportation Unit: No objection after receiving more information – the amended Access Statement confirms that it is unlikely that the class sizes will have a detrimental impact on the local road network, and outlines a proposal to include breaks between the classes that will allow time for one group to leave before the next one arrives. The parking provision for up to 14 cars is sufficient for the size of the classes, and it is not expected for the proposal to lead to much more occasional parking on the street.

Community/Town Council: No objection

Natural Resources Wales: No objection - standard advice.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and a number of letters were received objecting on the following grounds:

- Lack of parking in the area for existing businesses, customers and residents without the additional demand of this proposal.
- Will cause parking difficulties.
- No right of way to rear parking.
- Noise and disturbance.

Observations were received supporting the application on the following grounds:

- The class timings do not coincide with peak times at the pubs.
- It would generate additional business for Tremadog.

A second consultation was held with objectors and residents following receiving the additional information and at the time of writing this report, one letter was received objecting on the following grounds:

- Noise and disturbance
- The proposal will cause parking problems.

5. Assessment of the material planning considerations:

The principle of the development

5.1 Policies C3, C4 and D10 of the UDP are relevant to this application. Policy C3 approves proposals that prioritise reusing previously developed land or buildings that are located within or around development boundaries, provided that the site and its proposed use are suitable and in-keeping with the plan's objectives and development strategy. Policy C4 supports proposals to reuse buildings provided the buildings are appropriate for the proposed use and that no associated external works cause significant damage to the area's visual quality. Policy D10 approves proposals to change the use of buildings for business uses provided the scale and nature of the development are acceptable considering the location and size of the said

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building and that it would not constitute an unacceptable relationship with the nearby current uses.

- 5.2 In terms of the abovementioned policies, it is considered that the proposed use is suitable due to the building's surface area, its location within the development boundary, the fact that it is within walking distance of residential houses and in a location that has good public transport connections. The village has a mix of different business uses including pubs, hotels, shops and a workshop. The nature of these uses means that the village could be lively throughout the day and into late evening. Therefore, it is not considered that the proposed use would be incompatible with the character and nature of the village. There are no external changes as part of the proposal and due to the nature of the use there is no need for storage outside the building, therefore, it is not considered that the proposal would cause detriment to the streetscape, the conservation area or to the listed buildings. With the reuse of an empty building, the proposal will protect the appearance of the streetscape as the condition of the building will not deteriorate and also the proposal will offer economic benefit to the area. It is therefore considered that the application complies with policies B3, B4, C3, C4 and D10 of the UDP.

General Amenities

- 5.3 Policy B23 of the UDP deals with safeguarding the amenities of the local area by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area. It is not considered that the proposal is likely to affect the reasonable privacy of any users or nearby properties. The unit faces the A498, with parking spaces to the front and rear. As discussed above, the village has a variety of different business uses including pubs, hotels, shops and a workshop. The nature of these uses means that the village could be lively throughout the day and into late evening.
- 5.4 The application documents confirm that the opening hours would be from Monday to Thursday from 4pm to 9pm with a 15 minute break between each class. The maximum number of people in a class at any given time will be 20-25. The development would cause some additional movements in the village, however it is not considered that the impact would be excessive, nor would it have an unacceptable detrimental impact on any neighbour. No objections were received from the Public Protection Unit following the statutory consultation period. Having given full consideration to the objections, it is considered that the proposal complies with the requirements of policy B23 of the Unitary Development Plan, and the development is not likely to have a detrimental impact on the amenities of the local neighbourhood.

Highways and Access Matters

- 5.5 Policies CH30, CH33 and CH36 of the UDP relate to access to the building and the proposed access and parking provision on the site. The observations received object on grounds of the lack of parking in the area for existing businesses, customers and residents and that the proposal would cause parking difficulties. Following discussions, an amended Design and Access Statement was received and a new site plan in order to explain the size of the classes and the nature of the development. Consequently, the Transportation Unit has no objection to the proposal. A second consultation was held with objectors and residents in light of the additional information and at the time of writing this report, no further observations have been received. Having given full consideration the observations received, it is not considered that the proposal is contrary to policies CH33 and CH36 of the UDP.

6. Conclusions:

- 6.1 The objections from local residents have received full consideration as noted above. Based on the above assessment, and having considered all the relevant matters, including the objections, it is not considered that the proposal is contrary to the local and national policies

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and guidelines noted in the assessment, nor are there any other material planning considerations that state otherwise. Based on the above, it is considered that the proposal is acceptable subject to relevant conditions.

7. Recommendation:

To approve – conditions

1. Commence the development within five years
2. Complete the development in accordance with the Design and Access Statement and the plans submitted