

Application Ref: NP/17/0274/FUL

Case Officer Andrew Richards
Applicant Mr P Walker
Agent Mr D Williams, DWE Architecture
Proposal Change of use, extensions and alterations to provide two new retail units on ground floor and holiday let apartment above with associated three new roof windows, and associated external works and access improvements
Site Location Royal Mail Garage, The Green, Tenby, Pembrokeshire, SA70 8EU
Grid Ref
Date Valid 12-Oct-2017 **Target Date** 20-Dec-2017

The application is reported to committee as the views of Tenby Town Council are contrary to the views of your officers.

Consultee Response

Tenby Town Council: Refusal on highway safety grounds
PCNPA Tree and Landscape Officer: Conditional consent
Tenby Civic Society: Concerns raised
Tenby Chamber of Trade and Tourism: No response received
PCNPA Park Direction: Conditional consent
PCNPA Planning Ecologist: Conditional consent
PCC Transportation and Environment: Conditional consent
PCC Public Protection: Conditional consent
PCC Drainage Engineers: Conditional consent
PCC Access Officer: No response received
Dyfed Archaeological Trust: No objection
Natural Resources Wales: No objection

Public Response

A site notice and neighbour notification letters were posted in accordance with requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. No responses have been received.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website -

<http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 02 - Tenby Local Service and Tourism Centre

LDP Policy 08 - Special Qualities

LDP Policy 10 - Local Sites of Nature Conservation or Geological Interest

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LDP Policy 11 - Protection of Biodiversity
LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park
LDP Policy 29 - Sustainable Design
LDP Policy 30 - Amenity
LDP Policy 31 - Minimising Waste
LDP Policy 32 - Surface Water Drainage
LDP Policy 35 - Visitor Economy
LDP Policy 43 - Protection of Employment Sites and Buildings
LDP Policy 45 – Affordable housing
LDP Policy 53 - Impacts on traffic
PPW9 Chapter 03 - Making and Enforcing Planning Decisions
PPW9 Chapter 04 - Planning for Sustainability
PPW9 Chapter 05 - Conserving and Improving Natural Heritage and the Coast
PPW9 Chapter 07 - Economic Development
PPW9 Chapter 08 - Transport
PPW9 Chapter 09 - Housing
PPW9 Chapter 10 - Planning for Retailing and Town Centres
PPW9 Chapter 11 - Tourism, Sport and Recreation
PPW9 Chapter 12 - Infrastructure and Services
PPW9 Chapter 13 - Minimising and Managing Environmental Risks and Pollution
SPG05 - Sustainable Design
SPG06 - Landscape
SPG08 - Affordable Housing
SPG12 - Parking
SPG18 - Shopfront Design
SPG23 - Enabling Sustainable Development in Welsh NPAs
TAN 02 - Planning and Affordable Housing
TAN 04 - Retailing and Town Centres
TAN 05 - Nature Conservation and Planning
TAN 06 - Planning for Sustainable Rural Communities
TAN 10 - Tree Preservation Orders
TAN 12 - Design
TAN 13 - Tourism
TAN 15 - Development and Flood Risk
TAN 18 - Transport
TAN 23 - Economic Development

Constraints

Special Area of Conservation - within 500m
Potential for surface water flooding
LDP Centre:60pc aff housing;30 units/ha
Recreation Character Areas
Landscape Character Assessment

Officer's Appraisal

Background and History

The application site is located within Tenby and situated within the former Royal Mail Garage site. The host building is a two and a half storey traditional stone building with central gable projection with ornate central fenestration. The site is adjacent to a recent Co-op development and has associated parking and boundary enclosures.

- NP/13/0168 – Change of use, extensions and alterations to 2 existing buildings to provide a mixed retail & office scheme comprising 9 office incubator/business starter units and a flexible retail unit – Withdrawn 18.07.2013
- NP/13/0402 – Change of use, extensions and alterations to provide a mixed use retail and office scheme comprising office incubator/business starter units and a flexible retail unit – Approved 21.11.2013
- NP/15/0290/S73 – Variation of Condition 2 to allow revised design, Condition 5 revised opening hours and Condition 6 revised delivery hours – Approved 24.09.2015
- NP/15/0634/FUL – Plant equipment to rear & external yard, new shopfront, ATM and bollards to the front elevation – Approved 25.01.2016
- NP/15/0639/NMA – Non-material amendment for realignment of car parking spaces and relocation of delivery door – Approved 07.12.2015
- NP/16/0021/ADV – Signage – Part granted, part refused 08.03.2016
- NP/16/0300/ADV - 2 x internally illuminated logos, 1 x internally illuminated suspended logo, 1 x non-illuminated acrylic letters, 10 x non-illuminated wall mounted aluminium panels & 1 x non-illuminated pole mounted projector sign.
- Part granted, part refused 25.07.2016

Current Proposal

The application seeks approval for a proposed change of use, extensions and alterations to provide two new retail units on ground floor and holiday let apartment above with associated three new roof windows, associated external works and access improvements.

Key Issues

The application raises the following planning matters:-

- Policy and Principle of Development
- Visual Amenity and Special Qualities of the National Park

- Affordable Housing
- Siting and Sustainable Design
- Amenity and Privacy
- Highway Safety and Access
- Landscaping
- Biodiversity
- Land Drainage and Flooding
- Other Material Considerations

Policy and Principle of Development:

The site lies within the Centre of Tenby, as set out in the Adopted Local Development Plan ('LDP'). Policy 2 of the LDP relates to Tenby and sets out a strategic policy context for the town. The policy identifies that land-use priorities will include providing for employment development and to protect and enhance the town's facilities and town shopping centre to meet the needs of the local area.

The current site is recognised as being an employment site due to the former use being as a mail depot utilised by the Royal Mail. LDP Policy 43 Protection of Employment Sites and Buildings seeks to prevent the inappropriate loss of existing employment sites and buildings (business, general industrial, storage or distribution) to other uses unless there are overriding benefits or adequate availability exists elsewhere. This is in recognition of the limited appropriate land within the National Park to accommodate business developments (LDP para 4.185).

This site was previously granted planning approval for a change of use from employment to a mixed use site including retail (The Co-op Store). The application was considered acceptable in principle as an element of traditional employment use (offices) remained on site and the proposed retail unit offered significant employment benefits to the area.

This proposal seeks to replace the previously approved 7 offices with 2 ground floor retail units and a single holiday let accommodation above. Policy 43 criterion (c) allows for redevelopment where the potential for continued use has been shown to be unviable. In this respect the applicant has submitted additional information from two local estate agents who both indicate very little/no market demand for office space in Tenby, thus making the approved units difficult to let.

PPW Chapter 7 Economic Development states in paragraphs 7.1.1-2 that:

“Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism and public services...It is essential that the planning system considers, and makes provision for, the needs of the entire economy and not just those uses defined under parts B1-B8 of the Town and Country Planning Use Classes Order.”

The proposed retail units will maintain an element of employment/commercial use on the site that will provide some community benefit and in light of the additional

information submitted to indicate a lack of demand for office space, the proposed change of use of the building is considered acceptable in principle.

However, it is considered important to ensure further dilution from the original traditional employment use of the site is strictly controlled. Therefore, a condition will be added to control the use of the ground floor units to A1 or A2 use, in the interests of retaining commercial use in the building. The proposed holiday let is also considered to be acceptable in terms of the adopted policies within the LDP and subject the conditions imposed can be supported.

Visual Amenity and Special Qualities of the National Park:

In considering the application the impact of the proposal on the National Park landscape is a key consideration and therefore Policies 8 and 15 are particularly relevant. Policy 15 aims to control development causing a significant visual intrusion. In addition to these policies the Authority has adopted a Landscape Character Assessment (LCA) Supplementary Planning Guidance (SPG) of which the current site is within the boundary of LCA 2 (Tenby).

LCA 2 recognises that this is an historic town on the coast, set within rolling lowland and the northern bay along with the harbour contributes to the coastal sense of place. This area of land centred on Tenby has a traditional urban character typified by the Georgian architecture, old town walls and castle, all of which give the town a very strong sense of place. The historical built features are of national importance, especially the presence of the Georgian urban architecture along the seafront fronting both beaches.

The LCA seeks to preserve the traditional coastal town character, through planning developments to ensure they are in-keeping with the character of the traditional built form, whilst balancing the need for sustainable economic-development serving the needs of visitors and residents alike.

The current proposal has a design and scale which is considered to strike an appropriate balance between 'legibility' (new shop fronts, glazing and light weight porch) and an interpretation of the surrounding historic architecture (stone walls and vertical emphasis windows). In terms of scale/layout, the proposed extension is suitably set back from the front elevation and located on the side facing the rear of the site, preserving the form of the front elevations to an acceptable degree, this view is also enhanced through the repair and re-pointing of the existing stonework.

The scheme is also considered to be suitably orientated to respect the neighbouring properties, and is of a suitable scale and design which will retain the overall character of the existing building. Therefore, the proposal is considered to be acceptable in visual terms and maintains the special qualities of this area within Tenby.

Affordable Housing:

Policy 45 seeks to deliver affordable housing within the National Park as part of the overall housing provision. The threshold for affordable housing provision is two or more residential units and where an application is received for a site below this threshold but which is part of a larger site which is above this threshold the Authority will expect affordable housing to be provided. This is to ensure that sites are not broken up into smaller portions and phased which would avoid the requirement for affordable housing.

As there is a net gain of one residential unit on site, a commuted sum is normally required for affordable housing provision, in accordance with LDP Policy 45 Affordable Housing and the associated SPG, set at £150/m² of internal floor space.

In this instance the proposal is for self-catering holiday accommodation, and therefore the unit would be limited in its occupation by way of a planning condition on any consent granted. As such, the proposal is considered to be acceptable in respect of affordable housing and does not require a commuted sum provision.

Siting and Sustainable Design:

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategy policy which refers to the special qualities of the National Park and lists priorities to ensure that these special qualities will be protected and enhanced. Policy 15 of the LDP seeks the conservation of the Pembrokeshire Coast National Park with criteria 'a', 'b' and 'd' resisting development that would cause significant visual intrusion, be insensitively and unsympathetically sited within the landscape, and/or fail to harmonise with, or enhance the landform and landscape character of the National Park. Policy 29 of the LDP requires all development proposals to be well designed in terms of place and local distinctiveness (criterion 'a').

The current proposal has evolved from the original submission with amendments to the proposed shop fronts to follow a more traditional design but in powder coated aluminium. Three roof lights have been removed and a ground floor window on the rear elevation omitted. The balance between the effect on the vernacular architecture of the building and its ongoing viability has been carefully considered and it is concluded that the scale and design is such that the current proposal preserves the architectural merit of the building. Therefore, the siting and design is considered to be acceptable in this instance.

Amenity and Privacy:

Policy 30 of the LDP refers to 'amenity' in general seeking to avoid incompatible development and significant adverse impact upon the amenity enjoyed by neighbouring properties particularly where the development is an inappropriate use, is of a scale incompatible with its surroundings, development leads to an increase in traffic, noise, odour or light or the development is visually intrusive.

With regard to the impact on the amenity, the proposed scheme seeks to limit any adverse impact on the adjacent neighbours through careful design and orientation of

the proposed fenestration. The proposed level of fenestration has also been reduced and the high level window in the rear gable will be provided in obscure glazing and be of a non-opening type.

Therefore, it is considered that whilst there may be some impact on the amenity of the existing dwellings adjacent to the proposed development site, this would not be at a level which would be considered to have a significant detrimental impact on the amenity of these neighbours. As such, the proposal can be supported in terms of Policy 30 of the LDP.

Highway Safety and Access:

Tenby Town Council recommend refusal of the amended scheme as they consider the amendments do not go far enough to alleviate the potential conflict an increase in traffic movements generated by the proposed development will bring about. They also remain concerned about access, egress and vehicle movements when considered in relation to shared space of the convenience store adjacent to the application site.

Tenby Civic Society also raised concerns with highway safety and the proposed parking layout.

Pembrokeshire County Council Transportation and Environment section have assessed the application and have responded to indicate that the amended scheme provides parking spaces within a new block paved area, which will clearly identify the area associated with the shop space and holiday accommodation.

Overall the parking areas proposed to the front of the building are no larger than the previous area associated with the consented office space scheme, albeit with improved turning areas. The current scheme is not considered to increase the level of traffic generated to this site based on the fact that the previous consent provided seven independent offices.

The current scheme includes details for improvements to vehicle/ pedestrian visibility at the access through the lowering of the adjacent boundary walls and pillars either side of the entrance way. This together with a widening of the drop kerbs abutting the road will improve the ease of access and egress and provide the safety aspects necessary in relationship to the traffic associated with the end users of the overall development site.

As such, Pembrokeshire County Council Transportation and Environment section support the current amended scheme subject to a condition to ensure that the parking facilities for all vehicles including cycles are provided prior to the first occupancy of the building and thereafter retained for no other use. An informative will also be added to any consent granted to inform the applicant of the need for further separate consents from PCC to cross the Highway verge/footway.

The current amended scheme and the comments received from Pembrokeshire County Council Transportation and Environment section have been carefully considered and the current amended proposal can be supported by officers.

Landscaping:

The proposal includes a fenced off area for a private parking/amenity area for the proposed holiday accommodation and an open paved area to the front of the building for vehicle parking. There are trees adjacent to the site and no information has been provided to support the retention of these features.

The current proposal does not include any additional soft landscaping details. In addition, details of the exact locations of trees and hedges together with proposed protection have not been provided in support of the application. These details are considered able to be addressed by way of condition, and therefore condition(s) will be imposed to cover this required information and any new planting.

Biodiversity:

PPW, TAN5 and LDP policy 11 requires biodiversity and landscape considerations to be taken into account in determining individual applications. The presence of a species protected under UK or European legislation is a material consideration when dealing with applications that are likely to result in disturbance or harm to the species or its habitat.

The planning Ecologist has commented on the application stating that a protected species survey or habitat survey is not required in this instance. Natural Resources Wales also do not raise any objection to the current proposed scheme. As such, the proposal conforms with the relevant requirements of PPW, TAN5 and LDP policy 11.

Land Drainage and Flooding:

PCC Drainage Engineers support the application subject to the discharge of surface water being directed to new soakaways or other forms of sustainable drainage systems. If, however, ground conditions are not suitable for the use of soakaways/infiltration type SuDS, an alternative method of disposal will be required, which should be agreed in writing with the local planning authority. Conditions will be imposed accordingly.

Other Material Considerations:

Pembrokeshire County Council Public Protection section has indicated that the opening hours for the proposed ground floor units will need to be controlled given their location near residential properties. They also indicate that the waste collections and deliveries will also need to be controlled, and therefore the waste collection, deliveries and opening hours will therefore be limited by way of a planning condition.

Any mechanical extraction required for the proposed units will also need to be considered in more detail and as such, a condition will also be imposed to ensure those details will be provided and agreed in writing prior to any installation of such equipment.

Conclusion

Following consideration of the policies contained within the Local Development Plan and National Planning Policy in the form of Planning Policy Wales (Edition 9, November 2016) and having regard to all material considerations it is considered that the development will be in keeping with the aims of the LDP in that the development is considered to provide an alternative mixed use for the existing building whilst sustaining the local character and not impacting on privacy or amenity of neighbours. As such, and subject to a schedule of suitable conditions, the development is considered to be acceptable and complies with the requirements of policies 1, 2, 8, 10, 11, 15, 29, 30, 31, 32, 35, 43, 45 and 53 of the adopted Local Development Plan.

Recommendation

To APPROVE the application subject to the following planning conditions:

1. The development shall begin not later than five years from the date of this decision.
Reason: Required to be imposed pursuant to Section 91 (1) of the Town and Country Planning Act 1990 (as amended).
2. The development shall be carried out in accordance with the following approved plans and documents:
Location Plan (Received 12.10.2017)
Site Layout Plan Rev E (Received 06.11.2017)
Proposed Alteration to Vehicle Entrance Rev E (Received 06.11.2017)
17 opdten/101/B (Received 19.06.2017)
17 opdten/102/B (Received 19.06.2017)
17 opdten/103/B (Received 19.06.2017)
Reason: In order to be clear on the approved scheme of development in the interests of protecting visual amenity and the special qualities of the National Park. Policy: Local Development Plan – Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 15 (Conservation of the Pembrokeshire Coast National Park) and 29 (Sustainable Design).
3. The off-street parking facilities (for all vehicles including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.
Reason: To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area. Policy: Local Development Plan - Policy 53 (Impact on Traffic).
4. The development shall utilise soakaways/infiltration type SuDS to dispose of surface water. If, however, ground conditions are not suitable for the use of soakaways/infiltration type SuDS, an alternative method of disposal will be required, which shall be agreed, in writing, with the local planning authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that effective drainage facilities are provided for the proposed development and that no adverse impact occurs to the environment

or the existing public sewerage system. Policy: Local Development Plan – Policy 29 (Sustainable Design).

5. Within 3 months of the date of this permission and no further works shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include:
- Indications of all existing trees), hedges and hedgebanks on the land (including spread and species)
 - Identify any trees whose canopies overhang the site;
 - Identify trees and hedgebanks to be retained;
 - Identify trees and hedgebanks (including any sections) to be removed;
 - Set out measures for the protection of retained trees, hedges and hedgebanks on and immediately adjacent to the site throughout the course of development.

The scheme shall be implemented as approved and no further works shall be undertaken until the scheme is approved.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value. Policy: Local Development Plan - Policies 1 (National Park Purposes and Duty), 8 (Special Qualities), 11 (Protection of Biodiversity), 15 (Conservation of the Pembrokeshire Coast National Park), 30 (Amenity).

6. Prior to the installation of any mechanical ventilation/extraction equipment to control the emission of fumes and odour from the premises a detailed scheme be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: In the interests of conserving public health and local amenity. Policy: Local Development Plan – Policy 30 (Amenity).

7. The use of the ground floor retail units hereby approved shall not be carried out outside the hours of 07:00 to 22:00.

Reason: To protect the amenities of the occupiers of nearby dwelling houses. Policy: Local Development Plan – Policy 30 (Amenity).

8. Deliveries and waste collections shall not be taken at or dispatched from the site outside the hours of 07:00 to 19:00.

Reason: To protect the amenities of the occupiers of nearby dwelling houses. Policy: Local Development Plan – Policy 30 (Amenity).

9. The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation and their date of arrival and departure from the accommodation.

Reason: In order to ensure that the accommodation is occupied solely for

holiday letting purposes only and not for any other residential purpose. Policy: Local Development Plan – Policy 37 (Self Catering Development).

10. The retail use of the ground floor units hereby approved shall not be used for any purpose other than for purposes within class (A1 or A2) in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification.

Reason: In the interests of retaining commercial use within the building.

Policy: Local Development Plan – Policy 43 (Protection of Employment Sites and Buildings).

Informative

Pembrokeshire County Council Transportation and Environment consultation response