

COMMITTEE DATE: 14/03/2024

APPLICATION No. 24/00060/FUL

DATE RECEIVED: 11/01/2024

ED: FAIRWATER

APP: TYPE: Full

APPLICANT: Mr Michael Costas-Michael

LOCATION: 56B Plas Mawr Road, Fairwater, Cardiff, CF5 3JX

PROPOSAL: Subdivision of single hairdresser unit into two with new shop fronts and single storey side extension to provide toilet and storage

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#### RECOMMENDATION 1 :

That planning permission be GRANTED subject to the conditions listed below in Section 9.

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#### 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application seeks planning permission to subdivide a commercial unit into two units and erect a single storey side extension and install new shop fronts.
- 1.2 A single storey extension of approximately 3m x 2m is proposed to the north side with a flat roof 3m high, finished in facing brick. An additional aluminium framed shop front with stall riser plinth and roller shutter is proposed within the south part of the front elevation. Internally the premises would be subdivided into two separate units. Pedestrian access would be via the existing and new shop front doors.

#### 2. **DESCRIPTION OF SITE**

- 2.1 The application site comprises a hairdresser's premises (Class A1) which occupies a single storey semi-detached building, adjoined by a hot food takeaway at no. 56A Plas Mawr Road and a hot food takeaway at no. 58 Plas Mawr Road, located within a group of commercial buildings at the junction of Plas Mawr Road and Pwllmelin Road.



Figure 1: Site Location Plan

### 3. **SITE HISTORY**

- 3.1 15/01015/MNR – planning application for three storey building accommodating 6 no self contained flats, and extension of existing A1 and A3 premises at ground floor level.

The application was positively determined in September 2015 by the Council's Planning Committee subject to the conclusion of a Section 106 Agreement relating to the provision of a financial contribution towards public transport enhancement. As a result of a delay in the completion of the S106 Agreement due to non-planning matters, the permission has yet to be issued. In 2021, consideration was given to any material changes in planning policy or site circumstance since the matter was assessed in 2015. In this regard, Policy H3: Affordable Housing of the Cardiff Local Development Plan had become relevant. In September 2021, it was resolved under delegated powers, to grant planning permission subject to the conclusion of a Section 106 Agreement to incorporate both a contribution towards public transport enhancement and affordable housing. It is anticipated that the completion of the S106 agreement will be concluded in the near future.

- 3.2 13/00861/DCO – planning permission granted for new extension at rear of property single storey for storage purposes, revised rear access to service yard, and security shutter to shopfront at no. no. 56a Plas Mawr Road.

- 3.3 10/02218/DCO – planning permission granted for new hot food takeaway in single storey extension to side and rear of existing fish and chip shop, new mechanical extract flue and relocation of rear external fire escape staircase at no. 58 Plas Mawr Road.

#### 4. **POLICY FRAMEWORK**

##### 4.1 Relevant National Planning Guidance:

Planning Policy Wales (Edition 12, 2024)  
Future Wales - the National Plan 2040

##### 4.2 Relevant Cardiff Local Development Plan (2006-2026) policies:

KP5 (Good Quality and Sustainable Design)

##### 4.3 Relevant Supplementary Planning Guidance

Shopfront Design & Signage (2019)

#### 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Building Control: In our consideration under the fitting out of a small shop unit such as this we would require a maximum travel distance from the furthest point on the internal floor plan to the final exit (front door) of 12m. Unit 1 appears to be well under that and unit 2 appears to be just under 12m from the rear toilet lobby to the shop entrance, and so we wouldn't require a secondary means of escape route from either unit.

#### 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 None.

#### 7. **REPRESENTATIONS**

- 7.1 The application was publicised via the Council's website and by means of neighbour notification letters. An objection was received from the business owner and resident of no. 58 Plas Mawr Road, summarised as follows:

- a) *No benefit of increasing the number of shops to twelve. The Council originally planned six shop units here in the early 60's, this has now increased to eleven. This means that people are starting to sell each other's products;*
- b) *These two shops will be very small and not very profitable and be just changing ownership frequently;*
- c) *Anti-social behaviour will increase, there is already disturbance from youths at the next door kebab house. they do not have CCTV outside, will this be a requirement?*
- d) *One of the proposed units does not have a proposed secondary means of exit in case of emergency. The adjacent premises is entitled to secure*

*their lane door, this would trap people in a very small area;*

- e) *The applicant assumes that there will be no refuse, the Council's policy on refuse separation should be introduced at the outset to save any future disputes.*

## 8. **ANALYSIS**

- 8.1 The principal issues in the determination of this application concern the effect of the proposal upon the character of the area and the amenity of neighbouring premises.

Internal subdivision of the existing premises into two separate units does not constitute development requiring planning permission.

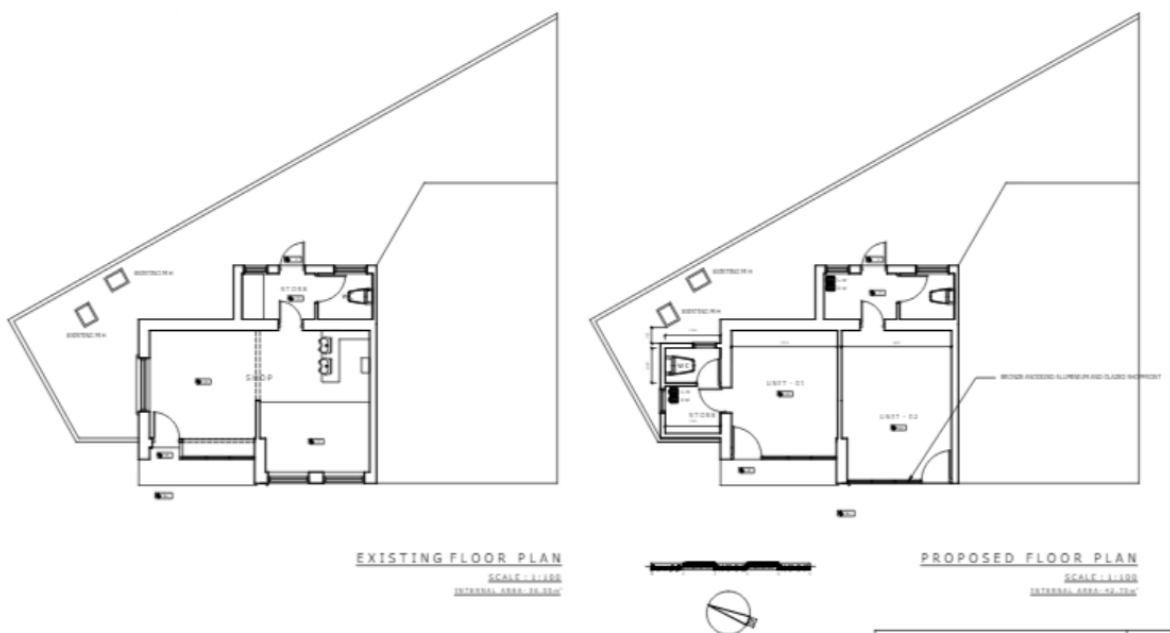


Figure 2 : Existing and Proposed Floor Plans

## 8.2 **Impact upon the Character of the Area**

Policy KP5 seeks to ensure that new development responds *'to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density. Colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals'*.

The scale of the single storey extension and its relationship with the existing building and that of neighbouring properties is considered acceptable. The extension would be of minimal scale and largely enclosed from the public realm by an existing front facing wall. The new shop front would be of appropriate design and material, resulting in a more unified and frontage than

the existing brick frontage. It is noted that the Shop Fronts & Signage SPG recommends that external roller shutters should have a perforated design, however having regard that the existing roller shutters at the application premises and the adjoining premises at no. 56A Plas Mawr Road are of a solid non-perforated appearance, it is not considered reasonable in this instance to require the additional roller shutter to have a perforated design. As such, it is considered that the proposal would not have any adverse visual impact.

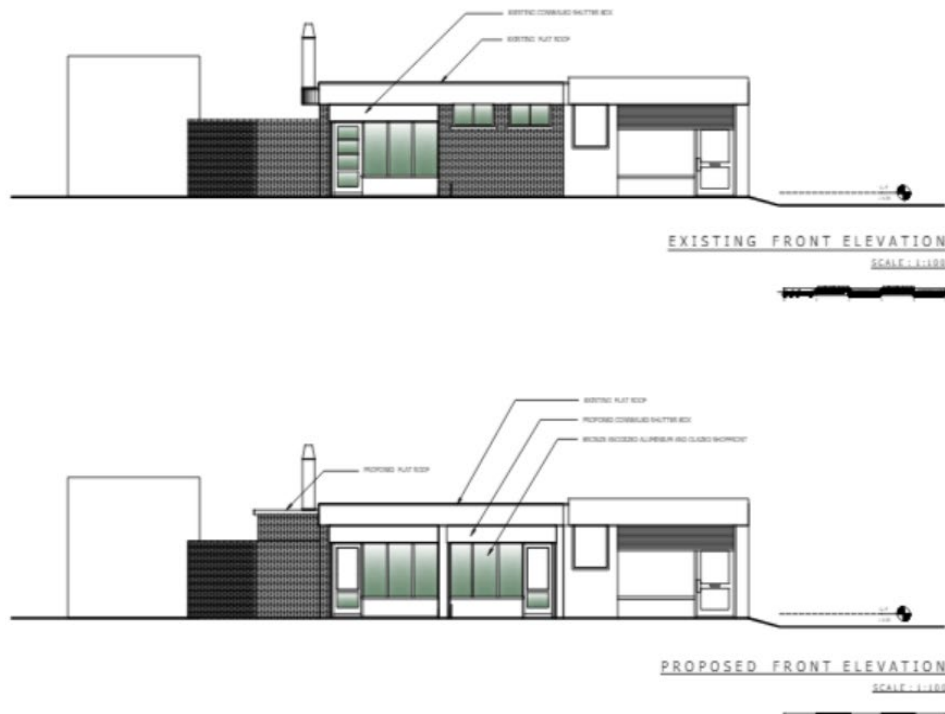


Figure 3: Existing and Proposed Front Elevation

### 8.3 Impact upon Neighbouring Premises

Policy KP5 seeks to ensure that 'no undue effect on the amenity of neighbouring occupiers' results from development and Policy EN13 seeks to ensure that no undue impact results as a result of sources of pollution.

The scale of the proposal and its relationship with neighbouring premises is considered acceptable. It is considered that the proposal would not be overbearing or generally un-neighbourly which would justify concern for the Local Planning Authority.

It is also acknowledged that whilst a separate application, the committee have resolved to grant application reference 15/01015/MNR for a significantly larger development on the site.

#### 8.4 Representations

The objection received from the business owner and resident is noted. Specific issues are addressed as follows:

- a) Increased amount of shop units. Internal subdivision of the existing premises into two separate units does not constitute development requiring planning permission, and in any case competition is not a material planning matter.
- b) Small size of units. There is no planning requirement specifying a minimum internal size of a commercial class A1 retail premises.
- c) Antisocial behaviour. It is considered that the proposed alterations and subdivision would not result in antisocial behaviour. Internal subdivision of the existing premises into two separate units does not constitute development requiring planning permission, and the planning use class would remain the same as existing. Provision of CCTV is not a planning requirement.
- d) Means of escape. Not a material planning matter. Means of fire escape would be controlled as required by the Building Regulations, and in any case Building Control have confirmed that a secondary means of escape route is not required from either of the proposed units.
- e) Refuse storage. Having regard that the units would be of small scale and used for purposes within planning use class A1, it is considered that refuse storage containers can be adequately accommodated internally within the premises as existing.

#### 8.5 Other Legal Considerations

*Crime and Disorder Act 1998* – Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

*Equality Act 2010* – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

*Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there

would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

## 8.6 Conclusion

It is concluded that the application is acceptable in accordance with the planning policies listed, and is recommended that planning permission be granted, subject to conditions.

## 9. RECOMMENDATION:

That planning permission be **GRANTED** subject to the following conditions:

- 1 C01 – Statutory Time Limit
- 2 The development shall be carried out in accordance with the approved drawings numbered:
  - 101 – existing and proposed floor plans;
  - 102 – existing and proposed front elevations;
  - 103 – existing and proposed rear elevations;
  - 104 – existing and proposed side elevations.

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.