

Application No.
P/16/0203

Date
4th July 2016

Determining Authority
MTCBC

Proposed Development

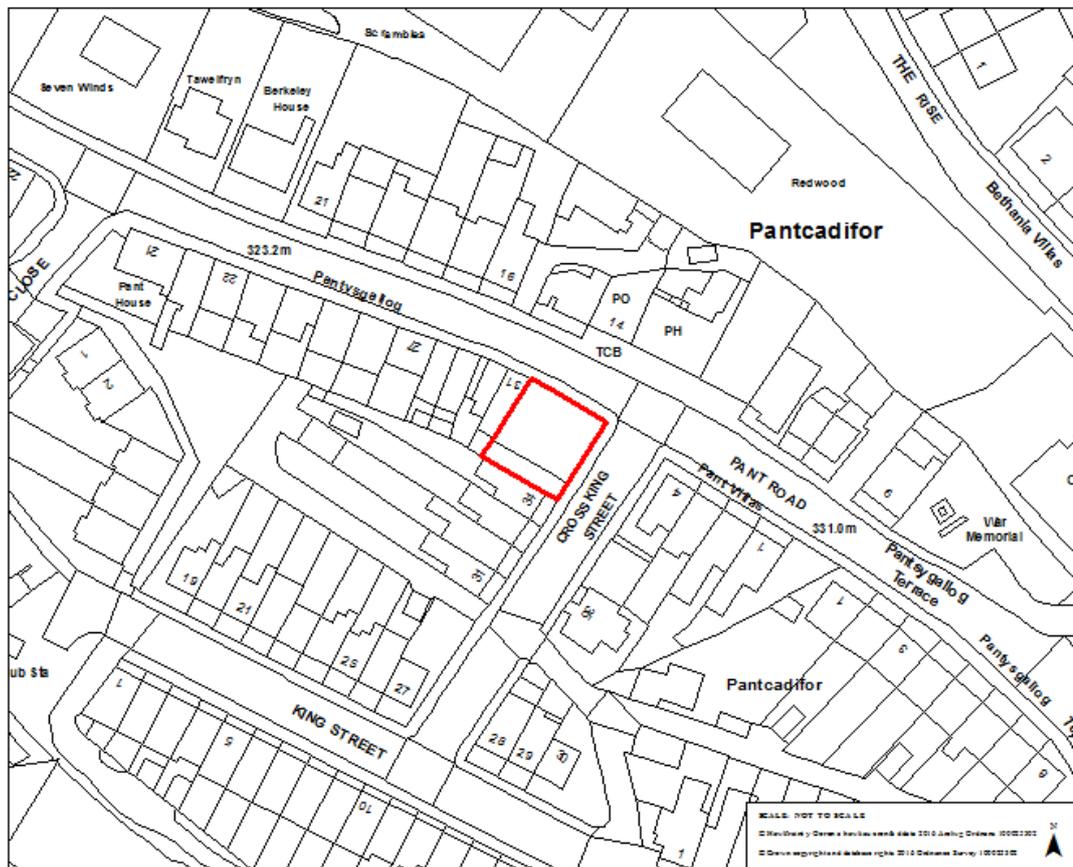
Location

Name & Address of Applicant/Agent

Subdivide first floor flat into 2 No. 2 bedroom flats, conversion of store to garage (with new door), erection of air conditioning unit and flue to rear elevation and new door to side elevation

Premier Stores
32 Pantyscallog
Pant Road
Pant
Merthyr Tydfil
CF48 2BY

Mr C Tovey
c/o Mr Paul Thomas
5, Amberton Place
Penydarren
Merthyr Tydfil
CF47 9HX



This application is being presented to the Committee as the applicant is Councillor Clive Tovey.

APPLICATION SITE

This application relates to the existing Premier Store which is located on the corner of Pant Road (to the north) and Cross King Street (to the east). To the south and west are adjoining residential properties. The property also accommodates a first floor flat with four bedrooms which is accessed via a side entrance from Cross King Street. To the rear of the building

(adjoining No. 34 Cross King Street) is an existing single storey annexe which currently provides a storage facility for the shop with the main roller shutter entrance accessed from Cross King Street.

PROPOSED DEVELOPMENT

Full planning permission is sought to sub-divide the existing first floor flat into two, two bedroom, flats. The flats would continue to be accessed via the side entrance, which would be replaced with a new upvc door and glazed panel.

A bakery would be provided at ground floor to replace the existing Premier Store. It should be noted that planning permission is not required for this element of the proposal as the bakery would fall within the same A1 Use Class as the existing store. To accommodate the new business, it is proposed that a new condensing unit would be provided on the rear (southern) elevation together with an extractor flue.

The condensing unit would be positioned at first floor level (4.3m above ground level) next to an existing unit. It would measure 1.35m wide by 0.9m high and 0.56m deep. The extractor flue would have a diameter of 0.4m and would be approximately 8m above ground level and 0.9m above the eaves level of the property.

The existing storage facility would be sub-divided internally to provide a garage and a smaller storage area for the bakery. The existing 2.2m wide roller shutter door serving the garage would be replaced with a 2.5m wide roller shutter door.

PLANNING HISTORY

P/08/0422 - Sub division of first floor flat into two self contained flats and conversion of store to garage.

Permission GRANTED on 27.11.2008

CONSULTATION

Engineering and Traffic
Group Leader - No objection.

Town Planning Division's
Policy & Implementation
Group Leader - No objection.

Environmental Health
Manager - No objection.

Welsh Water - No objection.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2016, letters were sent to neighbouring properties.

As a result of this publicity exercise, one letter of objection has been received, which raises the following concerns:

- There is an existing air conditioning unit on the building adjacent to a bedroom which produces noise and can be heard in the night. An additional unit would exacerbate this issue.
- The emissions and smells from the proposed flue may have an impact on neighbouring bedroom windows and rear garden areas.
- The provision of an additional bakery may increase litter and food waste in the area which may lead to increased possibility of rats.
- Deliveries to the bakery may have noise impacts in the early hours of the morning.
- The sub-division of the flat would exacerbate parking issues in the area.

POLICY CONTEXT

The following policies within the Merthyr Tydfil Local Development Plan (LDP) 2006 – 2021 are relevant to the determination of this application:

- Policy BW1 - Development strategy – Primary Growth Area
- Policy BW4 - Settlement boundaries / locational constraints
- Policy BW7 - Sustainable design and place making
- Policy BW8 - Development and the water environment
- Policy BW12 - Development proposals and transport
- Policy BW17 - Securing community infrastructure benefits
- Policy AS22 - Affordable housing contributions
- Policy TB11 - Access, parking and accessibility of local facilities

Supplementary Planning Guidance (SPG)

- SPG1 - Affordable Housing, March 2012.
- SPG2 - Planning Obligations, March 2012.

PLANNING CONSIDERATIONS

Land use

The application site is located within the settlement boundary and Primary Growth Area as defined by the LDP. Residential development in such areas is generally supported by policies BW1 and BW4 of the LDP. It is acknowledged planning permission has been granted previously (P/08/0422) for the sub-division of the flat into two residential units with a garage provided in the existing storage facility. As such, it is considered that the principle of the development is acceptable and complies with policies BW1 and BW4 of the LDP.

Design

The proposed condenser unit and extractor flue would have a minimal impact on the general character and appearance of the area, given its discreet location between the rear elevation of the property and the gable end of No. 34 Cross King Street.

The new roller shutter door serving the proposed garage would not significantly differ to the existing roller shutter serving the storage facility, albeit, it would be 0.3m wider. The replacement of the roller shutter entrance serving the existing flat with a new door and glazed panel would improve the general appearance of the side elevation of the property. It is considered that the development would not have an adverse impact on the character of the property or the surrounding area. Therefore, the proposal complies with policy BW7 of the LDP.

Amenities

The provision of a condensing unit and extractor flue has some potential to impact on the amenities of neighbouring occupiers in terms of elevated levels of noise and odours. In deed this is a concern that has been raised by a neighbouring resident.

The Environmental Health Manager has not raised any objection to the proposal. However, it has been advised that the condenser unit and extractor flue should be fixed to the property using anti-vibration mountings to minimise the transmission of structure-borne noise into the flats. It has also been highlighted that the noise generated by the condenser unit and extractor flue should not exceed the existing background noise level. A condition can be imposed on any permission to agree the specific details of the condenser unit and extractor flue to ensure it meets the Environmental Health Manager's requirements.

It is noted that concerns have been raised by a neighbouring property in respect of the potential increase in litter and food waste, which may attract rats to the area. This would be a matter to be addressed by Environmental Health legislation. As such, it is considered that the development would not adversely impact on the amenities of neighbouring occupiers. Therefore, the proposal complies with policy BW7 of the LDP.

Highways

Whilst the existing four bedroom flat would be sub-divided into two residential units, the number of bedrooms provided at the property would not be increased. It is considered that the provision of 2 No. two bedroom flats would not lead to a significant increase in traffic movements in the area. It is acknowledged that the majority of parking in the area is accommodated along the highway. Whilst it is considered that the sub-division of the flat would not cause significant issues with on-street parking in the area, it is noted that the proposal would make provision for one off-street parking space within the garage, which helps address any potential parking concerns. The Engineering and Traffic Group Leader has not raised any issues with parking in the area or highlighted any potential highway safety concerns. Therefore, the proposal complies with policies BW12 and TB11 of the LDP.

CONCLUSIONS

For the above reasons the proposed development is considered to be acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing No. Prem.02a

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. **Before any extraction facilities are installed**, details of the condensing unit and extractor flue shall be submitted to and approved in writing by the local planning authority. The details shall include the manufacturer's specifications and noise emission rating for the condensing unit and extractor flue, together with details of their fixtures to the property using anti-vibration mounts. The works shall be completed in accordance with the approved details.

Reason - To minimise the transmission of structure-borne noise into the flats and to ensure the noise emitted is not a source of nuisance to occupants of nearby properties, in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.
