

RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: P/15/130/FUL
APPLICANT: PRITSIMM LIMITED
C/O MR K PATEL 20 TALBOT STREET MAESTEG
LOCATION: BEETHOVEN HOUSE 81 CASTLE STREET MAESTEG
PROPOSAL: CHANGE OF USE TO 4 FLATS AND RETAIN EXISTING FLAT
RECEIVED: 2nd March 2015
SITE INSPECTED: 30th March 2015

APPLICATION/SITE DESCRIPTION

The application seeks planning permission to convert this public house into 4 flats whilst retaining the existing first floor 2 bedroom flat. The flat will comprise of a mix of two and three bedroom units. The public house is not currently in use.

The application also includes the removal of the existing flat roof two storey rear extension, the single storey rear extension and the existing first floor beer garden area. The development proposes to retain and utilise the existing openings, reinstate previously blocked up openings and create some additional openings and replace the beer garden with a balcony to the rear elevation.

The site is located close to Maesteg Town centre.

RELEVANT HISTORY

None

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations and publicity expired on 14 July 2015.

NEGOTIATIONS

The agent was advised of the requirements for a S106 contribution towards affordable housing and was requested to provide elevation plans. Amended plans were received on 25 June 2015, reducing the number of flats to 4.

Plans were requested showing the rear and eastern elevations, these were received on 14 August 2015.

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 12th March 2015

Application Number

P/15/130/FUL



MAESTEG



Scale 1:1,250

Date Issued:
24/08/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O:/Drive/Plandraw/new MI layouts/
Committee DC Plan

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Support the proposal.

Cllr Keith Edwards

Objects to the proposal and requests a site visit.

The objection is as follows:-

'Completely out of sync with residential street comprising of terraced houses, ongoing resident parking issues in and around this address.'

Head Of Street Scene (Highways)

Has no objection to the proposal.

Head Of Street Scene (Drainage)

Advised on drainage.

Welsh Water Developer Services

Advised on sewerage.

Group Manager Public Protection

Advised on the internal layout, these comments were passed onto the agent.

Head Of Parks & Playing Fields

Has no comments to make on the proposal and has not requested a contribution towards public open space.

REPRESENTATIONS RECEIVED

Zion Fellowship, Maesteg Christian Centre (Zion English Baptist Chapel)

Supports the proposal.

Objections Have Been Received From The Following:, -

I J Lloyd - 2 Queen Street Maesteg
S Morgan - 3 Queen Street, Maesteg
S Joyce - 4 Queen Street, Maesteg (requests to speak at the Development Control Committee)
H Taylor - 7 Queen Street, Maesteg
J John - 8 Queen Street, Maesteg
D Treasure - 10 Queen Street, Maesteg
S Rees - 11 Queen Street, Maesteg
D & M Thomas - 15 Queen Street, Maesteg
H Davies - 16 Queen Street, Maesteg
V Pearce - 17 Queen Street, Maesteg (requests to speak at the Development Control Committee)
C Griffiths - 10B Castle Street, Maesteg
G & J Playfair - 12 Castle Street, Maesteg
P Whealan - 26 Alfred Street, Maesteg

The objections are summarised as follows:-

In adequate parking space for existing permit holders
Lack of parking provision

Development will lead to parking in neighbouring streets
Overlooking the rear gardens of the properties on Queen Street
Privacy
Flats would not be suitable in this residential area
Overdevelopment of site
Increase in refuse bags
Disruption during conversion works
Development will downgrade the area
Concern in regard to the future occupiers of the flats
Loss of facility

COMMENTS ON REPRESENTATIONS RECEIVED

The Transportation Development Control Officer has assessed the scheme and considers it acceptable in terms of parking provision and highway safety. The comments regarding the lack of parking permits has been forwarded to the relevant section.

In respect of the objections raised regarding overlooking and privacy, the existing public house has a large first floor beer garden which overlooks the rear of the properties on Queen Street and Alfred Street, it is proposed to remove a large proportion of this beer garden and to replace it with a balcony of a smaller scale serving the first floor rear flat. The overlooking caused by the proposed smaller scale balcony is considered to be far less intrusive than the current situation from the existing first floor beer garden, which is closer to the neighbouring property and of a larger scale. However, in order to ensure that privacy standards are maintained a condition shall be attached to any permission granted requiring a 1.7m high solid screen to be erected along the boundaries of the balcony.

The application site is located within the settlement boundary of Maesteg as defined by Policy PLA1 of the Local Development Plan and, as such, the proposal which is for residential use is considered acceptable in this residential area.

The proposed development is not considered to be overdevelopment of the site as the existing building is of a sufficient scale to accommodate the 4 flats and retain the existing flat without adversely affecting residential amenities.

There will be an increase in household waste, however, this will replace the existing commercial waste generated by the public house use, and it is not considered to be a material concern.

Any disruption caused during the conversion works will be short term only and is not considered to be a reason to refuse the development.

The future occupants of the proposed flats and perceived 'down grading' are not material planning considerations and the application must be assessed on its planning merits alone.

The loss of the public house facility is addressed in the 'Appraisal' section of this report.

APPRAISAL

The application is referred to the Development Control Committee for determination at the request of the local Member and due to the number of objections received from local residents.

The application seeks planning permission to convert the existing public house into 4 flats and to retain the existing living accommodation. There are limited external alterations proposed.

The application site is located within the settlement boundary of Maesteg, as defined by Policy PLA1 of the adopted Local Development Plan (LDP), and, as such, the development of this site for residential purposes could be regarded as a 'windfall and small-scale' site in a settlement boundary under Policy COM3 of the LDP.

Strategic Policy SP2 relates to design and sustainable place making and the proposed scheme should comply with the criteria of Policy SP2. Policy SP2 of the LDP states:-

'All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.'

The proposal involves little in the way of alterations to the external appearance to the property, which is welcomed as the existing building adds to the character of the street scene and is of some architectural merit.

In terms of the impact on neighbouring properties, whilst the proposed balcony will have direct views over the rear gardens of the properties on Queen Street, nevertheless it is considered acceptable as the development will result in the removal of the existing first floor beer garden. The existing beer garden is closer to the properties on Queen Street than the proposed balcony and, as such, will significantly reduce the existing overlooking situation. The proposed development will, therefore, result in an improvement with regard to overlooking and privacy standards. However, in order to ensure that privacy standards are maintained a condition shall be attached to any permission granted requiring a 1.7m high solid screen to be erected along the boundaries of the balcony facing Queen Street and Alfred Street.

It is noted that the pub may not have been in full operation for the last few years, however the building could be brought back into operation at any time and the beer garden used regularly by patrons of the public house.

With regard to the residential amenities of the future occupants of the flats a modest communal outdoor area is proposed to the rear, at the location of the existing flat roof extension, which is to be demolished. In order to ensure that the boundary treatment being proposed is suitable a condition shall be attached to any permission granted requiring a boundary treatment scheme to be submitted to and agreed in writing by the Local Planning Authority.

Policy SP13 of the LDP states that 'community buildings will be retained or enhanced to maintain the quality of life for residents'. Paragraph 6.2.2 expands on this stating that 'a local pub could be regarded as a community building, especially where it is the only community building in a small settlement'. Given the location of the application site within the urban area of Maesteg, within close proximity to a range of community facilities, it is not considered that the proposed change of use would have a detrimental impact on the quality of life of local residents. Consequently, it is considered that the proposal represents an opportunity to re-use a currently vacant building within the urban area for residential development in accordance with Policy COM3 of the LDP.

In regard to Public Open Space (POS), there is a large area of POS at Maesteg Sports centre located approximately 140m to the north of the site and access can be gained via the existing footpath network. It is not considered reasonable to request a public open space contribution in this instance given the limited nature of the development and the close proximity of the site to a large area of POS.

The original proposal was for five new flats plus the existing flat. The amended scheme now reduces this to four additional units and, as such, there is no requirement for an affordable housing contribution.

The application site is at a sustainable location and is within close proximity to a variety of services and facilities.

In terms of highway safety and parking provision, the existing use of the building falls under Class A3 of the Town and Country Planning (Use Classes) Order 1987. An A3 use class is considered to require more off-street parking provision than the proposed use, however, as the existing property is not served by any off street parking provision, the proposed change of use is considered to be acceptable in terms of highway safety and parking provision as there is no change in the existing circumstances. Furthermore, the application property is located at a sustainable location, close to the town centre, railway station and bus station.

Whilst determining this application Policies COM3, SP2, SP13 of the Bridgend Local Development Plan and Notes 1,2,6 & 8 of Supplementary Planning Guidance 2 were considered

CONCLUSION

Notwithstanding the objections received, this application is recommended for approval because the proposal represents an opportunity to re-use a currently vacant building in compliance with Council policy and Council's guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities or highway safety as to warrant refusal.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1 The development shall be carried out in accordance with the following approved plans:-

568/1 (received 2 March 2015)
568/7A (received on 25 June 2015)
568/8A (received on 20 May 2015)
568/9 (received on 20 May 2015)
568/11 (received on 14 August 2015).

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2 No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable.

Reason : To ensure that the general amenities of the area are protected.

3 Notwithstanding the approved plans and Condition 1 above no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces, including the balcony, doors and windows, has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason : To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

4 Prior to the beneficial use of the balcony serving the first floor rear flat commencing, a 1.7m

high solid screen shall be erected along the entire side of the balcony adjacent to Alfred Street and boundary facing Queen Street. The balcony shall thereafter be retained in perpetuity.

Reason: In the interests of residential amenities.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a) Notwithstanding the objections received, this application is recommended for approval because the proposal represents an opportunity to re-use a currently vacant building in compliance with Council policy and Council's guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities or highway safety as to warrant refusal.

b) Foul Water and surface water discharges shall be drained separately from the site and will not be allowed to discharge on the public highways.

c) No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system.

d) Land Drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

e) The development is crossed by a 225mm public sewer with the approximate position being marked on the Statutory Public Sewer record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None