

Application Number: DM/2018/01963

Proposal: Ground floor change of use from A1 to A3 use. Part first floor change of use from flat to A3. Relocation of front entrance door. New sign above shop front.

Address: Penhowe Antiques, 37A Bridge Street, Usk, NP15 1BQ

Applicant: Mr. Newman

Plans: Location Plan AL(00)01 - A, Elevations - Existing AL(00)03 - , Floor Plans - Existing AL(00)02 - , All Existing Plans AL(00)04 - , All Proposed Plans AL(01)01 - Rev. E, All Proposed Plans AL(01)02 - Rev. E, External Lighting Email including image - ,

RECOMMENDATION: APPROVE

Case Officer: Ms. Lowri Hughson-Smith
Date Valid: 05.12.2018

This application is presented to Planning Committee following its referral by the Council's Planning Applications Delegation Panel. This was owing to neighbour concerns regarding overlooking. In addition, concerns were raised in relation to a perceived conflict of interest relating to a panel member and the location of the application in proximity to the panel member's business. The matter was referred to the Council's Legal Officer and it has been agreed that the relevant member will not participate in the deliberation of the application at Committee

1.0 APPLICATION DETAILS

1.1 The application site is located in the Usk town centre and is currently an antique shop. It is located in the designed Central Shopping Area and within the Usk Conservation Area. The site is also affected by C1 flood plain.

1.2 The proposal seeks change of use of the property, which is currently an A1 use as an antique shop with residential development above.

1.3 The proposed change of use is to provide a micro-pub with ancillary brewing facilities and A1 use at ground floor. The extent of the brewing operation would be small scale and limited to once a month, solely to supply the main A3 use (micro-pub) at upper floor level. The proposal also includes the retention of the upper floor residential accommodation, albeit reduced in size.

1.4 The physical changes to the building include:

- o Replacement shop front;
- o Painted signage on front elevation at upper level;
- o External lighting to the front elevation; and
- o Installation of a roof light to the rear elevation.

1.5 The residential unit is located to the rear of the building on the upper floor and accessed via an existing door at the front elevation which will remain unchanged in this application.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
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DM/2018/01963	Ground floor change of use from A1 to A3. Part first floor change of use from flat to A3. Relocation of front entrance door. New sign above shop front.	Pending Determination	
DM/2018/01964	Proposed new sign above shop front displaying the company logo.	Pending Consideration	
DC/2012/00280	Change of use from a mixed use (A1 and A3) to A3 use.	Approved	25.04.2012
DC/2006/01116	Name of premises/New business operating-abover premises.	Deemed Consent	12.12.2006
DC/2006/01051	Certificate of Lawfulness for use of premises as tea room and take away sandwich and hot food bar		02.11.2006
DM/2018/01963	Ground floor change of use from A1 to A3. Part first floor change of use from flat to A3. Relocation of front entrance door. New sign above shop front.	Pending Determination	
DM/2018/01964	Proposed new sign above shop front displaying the company logo.	Pending Consideration	

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S13 LDP Landscape, Green Infrastructure and the Natural Environment S17
LDP Place Making and Design
S6 LDP Retail Hierarchy

Development Management Policies

RET2 LDP Central Shopping Areas SD3 LDP
Flood Risk
HE1 LDP Development in Conservation Areas DES1 LDP
General Design Considerations
EP1 LDP Amenity and Environmental Protection EP5 LDP
Foul Sewage Disposal
NE1 LDP Nature Conservation and Development
MV1 LDP Proposed Developments and Highway Considerations

4.0 NATIONAL PLANNING POLICY Planning

Policy Wales (PPW) Edition 10

4.1 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

4.2 The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Usk Town Council

The Town Council recommends approval.

Natural Resources Wales

NRW commented on the application and stated the following:
'the application site lies entirely within Zone C1, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Usk, which is a designated main river.

We note that the proposed development is for change of use from A1 to A3 on ground floor and part change of use on first floor from flat to A3 (less vulnerable development).

We recommend that an FCA is undertaken to ensure all parties, including your Authority, are aware of the risks to and from the development, and ensure that the risks and consequences of flooding are minimised as far as possible. The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given in Section 7 and Appendix 1 of TAN15. The FCA should be appropriate to the scale and nature of the development being proposed.

The FCA should establish what the predicted flood risk is to the building and its access/ egress

routes, this will provide a better understanding of the risks and consequences of flooding. We may hold relevant flood risk data that can be used to assist with this assessment. Any requests for this data should be sent to our datadistribution@naturalresourceswales.gov.uk email account. If the building and/or access/egress routes are shown to flood during events up to and including a predicted 0.1% (plus an allowance for climate change) flood event, the FCA should propose suitable and appropriate mitigation measures to reduce the effects and consequences of flooding.

This application presents an opportunity to raise awareness of the flood risk to the current/ future occupiers of the property, incorporate flood resistance/resilience measures into the refurbishment works, and make provisions for flood warning and emergency access/egress. Dependent on the level of risk posed, the FCA should consider each of these matters and make appropriate recommendations.'

MCC Heritage Officer

No objection raised in relation to the change of use.

There was, however, objection to the replacement shop front, as originally submitted. The following comments were made:

'The rearrangement of the shopfront would not be acceptable, retaining the proportions and scale of the historic shopfront is paramount particularly on Bridge Street. Roof lights on the front elevation of a building within a conservation area is strongly discouraged and would not be found to be acceptable, due to such high visibility and affecting the character of the conservation area.'

In respect of the signage, the Conservation Officer stated that 'if not installed on the fascia, wall logos should be painted, further details on illumination will be required'.

Following the Heritage Officer's comments on the original submission. The applicant revised the scheme provide a more sympathetic shop front, centred the front door and removed the roof lights. The Heritage Officer's concerns in respect of the shop front proportions remained due to the width of the door and thickness of the door frame.

The applicant revised the proposals again to address the further comments made and reduced the door width and amended with the fanlights.

The Heritage Officer is satisfied with the amended scheme and removed the objection.

Environmental Health

The Environmental Health Officer has not raised any concerns and made the following comments: It is noted that a concern has been raised regarding issues of noise from the premises. While there is potential for some noise typically associated with a bar and restaurant to be audible it is unlikely that the proposed development will cause significant increase in noise levels.

The hours of operation of the proposed development are broadly in line with other premises of a similar nature within the area.

Taking into account all of the above information I am unable to substantiate a reason to object to the proposed development.

However, the business owner is reminded that any excess noise should be kept to a minimum.

MCC Highways

No objection.

Welsh Water

No objection subject to the following condition being imposed:

'No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment'

'The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have been submitted and approved in writing by the Local Planning

Authority. Thereafter, the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason: To protect the integrity of the public sewerage system and ensure the free'

Glamorgan Gwent Archaeological Trust

No objection.

Usk Civic Society

Usk Civic Society objects to these applications on the grounds that the changes to the shop front are unacceptable. The comments made were:

'the proposed to the shopfront of 37 Bridge Street are inappropriate at this location. The shopfront is not outdated. It is a standard traditional shopfront on the main street of Usk and is at the heart of the Usk conservation area. Its retention is an important part of the character of the street. Nor is it clear what, if any, practical need in terms of the proposed new business would be served by alteration. The applicants wish to place a logo between the two first floor windows. No details are given as to whether the sign would be painted on to the wall, or a raised sign made of other materials. The former would be acceptable to the Society; the latter would not. There is no detail about any illumination. In the conservation area, this would need careful consideration. It is also proposed to install a Velux-type window in the roof on the street frontage. This, again, should not be allowed in the conservation area. These comments echo those made by MCC's own heritage team (e-mail of 23 January 2019).

In making these comments, the Society wishes to stress that it has no objection to the idea of using these premises as a microbrewery [sic]. It simply opposes the unnecessary and out-of-character alterations to the street frontage which are proposed.'

5.2 Neighbour Notification

6 no. neighbours have been consulted and two responses were received. The two responses received raised concerns in respect of the following:

- o Increased noise as a result of the property being used as a pub, music and people smoking;
- o Loss of Privacy; and
- o There are already pubs in the area.

6.0 EVALUATION

6.1. The proposals will be considered against the planning policy framework contained at national level in Planning Policy Wales (Edition 10) (hereafter referred to as PPW10) and the Local Development Plan.

6.2 The main considerations relevant to the proposals are detailed below and assessed in turn below:

- o Strategic Planning/ Development Plan context/ Principle of Development
- o Retail & Commercial Centres/Productive and Enterprising Places
- o Flooding
- o Historic Environment/Good Design/ Place making/Visual Impact
- o Impact on Amenity/ Promoting Healthier Places
- o Access / Highway Safety
- o Biodiversity
- o Water

Prior to concluding the report the Response to the Representations of Third Parties will be discussed.

Strategic Planning/ Development Plan context/ Principle of Development

6.3 The application site lies within the defined settlement of Usk and, therefore, a presumption in favour of development exists subject to detailed planning considerations, which are discussed in turn below.

Retail & Commercial Centres/Productive and Enterprising Places

6.4 The site is located within a designated Central Shopping Area (hereafter referred to as the CSA) and developments within this designated area are governed by the requirements of Policy RET2 which seeks to protect the vitality and viability of town centres. According to Policy RET2, developments within CSAs are subject to the following detailed planning considerations:

- a) proposals which will safeguard the vitality, attractiveness and viability of the defined CSAs will be permitted; a change of use from Classes A1, A2 or A3 on the ground floor with street frontage to uses other than Classes A1, A2 or A3 will not be permitted, unless it can be demonstrated that criterion (a) can be met by attracting footfall;
- b) change of use to residential of ground floor premises will not be permitted unless evidence is provided to demonstrate that the premises is not viable for retail or commercial use, including that the premises has been vacant for at least one year and that genuine attempts at marketing the existing use have been unsuccessful.

6.4.1 Proposals which will safeguard the vitality, attractiveness and viability of the defined CSAs will be permitted

The proposed development seeks permission for a primarily A3 use within the town centre, utilising the upper floor for an A3 use. The ground floor will incorporate an ancillary A1 use and micro-brewing facilities associated with the A3 use. The A3 use (the main use) is a footfall generating use and, therefore, will safeguard the vitality and viability of the town in accordance with the above requirement.

6.4.2 A change of use from Classes A1, A2 or A3 on the ground floor with street frontage to uses other than Classes A1, A2 or A3 will not be permitted, unless it can be demonstrated that criterion (a) can be met by attracting footfall. The proposed use is for a micro-pub with ancillary brewing facilities and shop at ground floor level. The proposed use is acceptable and in accord with the criteria of Policy RET2.

6.4.3 A change to residential use of ground floor premises will not be permitted unless evidence is provided to demonstrate that the premises is not viable for retail or commercial use, including that the premises has been vacant for at least one year and that genuine attempts at marketing the existing use have been unsuccessful

The application does not include any change of use of the lower ground floor to a residential use.

6.5 It has been demonstrated above the proposal accords with the requirements of Policy RET2.

6.6 Flooding

6.6.1 The site is in a C1 flood zone; a high-risk flood zone served by flood defences or infrastructure. Developments within C1 zones are ordinarily required to be accompanied by a Flood Consequences Assessment (hereafter referred to as FCA). TAN 15 indicates that development, particularly highly vulnerable development, i.e. residential development, in 'C' flood zones should not be permitted unless fully justified in accordance with the tests contained in paragraph 6.2 of TAN 15.

6.6.2 NRW have commented on the application and advised that a FCA is required to assess the proposals in the context of the flood risk.

6.6.3 In this case, an FCA was not requested despite the comments from NRW since the proposed development represents less vulnerable use in comparison to the existing use and so the provision of an FCA was not considered rational or reasonable. This conclusion was reached following the assessment of the proposals against the justification tests set out in paragraph 6.2 of TAN 15, which read as follows:

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii. Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
- iii. It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,

iv. The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and Appendix 1 found to be acceptable.

6.6.4 Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement. In this case, the proposal will contribute to the local authority strategy to sustain the town centre that is specifically required under Policy RET2 of the LDP which, as demonstrated above, the proposal fully accords with.

6.6.5 It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1). The site is previously development land in accordance with the definition contained on page 38 of PPW 10, according with ii) and iii) of para. 6.2 of TAN 15.

6.6.6 The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and Appendix 1 found to be acceptable.

In terms of assessing the consequences of flooding, the proposal will result in a reduced amount of highly vulnerable development as defined in Section 5 of TAN 15. There is a potential flood risk and Section 7 and Appendix 1 of TAN 15 requires the flood risk to be assessed fully in an application. In this application, the starting point was to assess the existing use of the building in comparison to the proposed.

6.6.7 The existing use provides the following:

- o A1 at lower ground floor; and
- o 3 bed residential flat at upper level.

In accordance with TAN 15, the residential flat is classed as highly vulnerable development and the commercial development (i.e. the A1 use) is considered to be less vulnerable development. The proposed use does not introduce new or intensify highly vulnerable development and, indeed, the proposals reduce the amount of such development, providing the following:

- o A1 use at ground floor/ancillary brewing facilities;
- o A3 use at upper floor level (over 50% of upper floor); and
- o 1 bedroom flat at upper floor level.

6.6.8 In flood risk terms, the proposed development represents a betterment by reducing residential development floor space by over 50% of its existing size. The reduced risk associated with the proposed use was further consolidated by the nature of the use. A micro-pub, as advised in TAN 15, is considered to be less vulnerable development and therefore in a flood event people can decide whether they accept the risks to life and property associated with flooding at the site and, of course, chose to avoid the risk. This further reduces the flood risk to persons visiting the site.

6.6.9 In terms of the residential unit, it is on the upper floor and so would remain flood free during a flood event. Notwithstanding this, the risk associated with the development is less than the existing situation given the reduction in bedrooms from 3-bedrooms to a 1-bedroom flat.

6.6.10 Moreover, the proposal does not include any increase in floor space or hard surfacing and, therefore, would not result in a change in the flooding scenario experienced on site. In terms of access and egress, it is the remit of the Local Planning Authority to assess whether the emergency access and egress to the site is acceptable. Given there is no change in flood scenario and the vulnerability of the development is reduced, the existing access and egress arrangement is considered suitable to serve the proposals.

6.6.11 To conclude, the development will have an insignificant impact on flooding and flood risk is lessened by the reduction in the amount of highly vulnerable development. The use is not

considered to create an unacceptable risk to life and ensures a lesser risk than posed by the existing situation. The proposal is considered to have a neutral impact in terms of flood risk and, therefore, the development is in accordance with TAN 15 and Policy SD3.

6.6.12 It is recommended that the applicant signs up to the NRW flood warning service to ensure they evacuate the site in advance of any potential flood event which will prevent unnecessary risk to members of the public and staff and to also avoid the need for rescuing.

6.7 Historic Environment and Place making

6.7.1 The application site lies within the Usk Conservation Area and, therefore, it must be assessed whether the development preserves and enhances the Conservation Area in accordance with Policy HE1 of the Local Development Plan and also Policy DES1, which relates to good design.

6.7.2 Policy HE1 requires development in the Conservation area to meet the following criteria:

- a) preserve or enhance the character or appearance of the area and its landscape setting;
- b) have no serious adverse effect on significant views into and out of the Conservation Area;
- c) have no serious adverse effect on significant vistas within the area and the general character and appearance of the street scene and roofscape;
- d) use materials appropriate to their setting and context and which protect or enhance the character or appearance of the Conservation Area; and
- e) pay special attention to the setting of the building and its open areas.

6.7.3 Policy DES1 requires new development to be of a high quality design including, amongst other things, to ensure the proposal is in keeping with the surrounding character and also acceptable in terms of appearance and materials.

6.7.4 The proposed change of use would not have an adverse impact on the Conservation Area and this was confirmed by the Council's Heritage Officer.

6.7.5 The replacement shop front as originally proposed repositioned the door from a central location to the side of the front elevation. The Heritage Officer objected to this proposal since it was not sympathetic to the streetscene and the historic shop proportions.

6.7.6 The applicant has revised the design, repositioning the door to the centre, a similar position to the existing door. The door, however, is wider than the current door opening to allow for brewing facilities (such as tanks, etc.) to be brought on site and replaced when necessary. The Heritage Officer had reservations regarding the widening of the door opening. The applicant reduced the door to the minimal width required, 150mm, and reduced the frame width and provided a fan light above the door to improve the overall proportions of the shop front. The Heritage Officer has reviewed the amended proposal and finds the proposal acceptable.

6.7.7 The design, proportions and appearance of the proposed shop front are considered acceptable and remain in keeping with the Conservation Area, protecting its character and complementing the streetscene along Bridge Street. The proposal will not have a perceivable impact on the Conservation Area itself, views into the area or its overall character.

6.7.8 The proposed materials indicated on the submitted plans would be in keeping with the Conservation Area and its character. There are concerns that the shade of paint as shown on the elevations is potentially too dark and not in keeping with the Conservation Area. To ensure the final materials and the shade of paint for the external walls are acceptable it is necessary to impose a condition requiring the agreement of these aspects of the proposal.

6.7.9 This application is being determined in parallel to a signage application (reference number: DM/2018/01964) for the installation of a new sign on the front elevation. Initially, the signage was proposed to be an aluminum sign attached to the building and externally lit. The Heritage Officer objected to this proposal and requested the signage be painted onto the building and lit with appropriate external lighting. The applicant has amended the proposal to provide a painted signage and provided details of external lighting which has been confirmed as acceptable by the Heritage Officer. The details of external lighting will be secured by condition. The revised scheme is considered to accord with policies HE1 and DES1, subject to conditions.

6.8 Archaeology

6.8.1 The site lies within an archaeologically sensitive area and, therefore, intrusive development works may have an impact on valuable archaeological remains.

6.8.2 The nature of the proposed development is not considered likely to have a harmful impact in terms of archaeology. GGAT raised no objection to the application and did not recommend a planning condition in relation to potential archaeological resource, but advised that if features were disturbed during the course of works GGAT should be contacted. An informative will be attached to the permission advising the applicant that if any archaeological remains are found during the development that GGAT should be contacted.

6.8.3 Given the nature of the development, there is no likely harmful impact on archaeological remains. The proposal accords with relevant planning policy, namely Chapter 6 of PPW10.

6.9 Impact on Amenity/ Promoting Healthier Places

6.9.1 The application site is located in Usk town centre which is primarily characterised by commercial properties. There are some residential properties in proximity to the site and the proposed relationship needs to be assessed to ensure there is no adverse impact on these dwellings. The likely impacts which may be adverse are overlooking/loss of privacy, noise disturbance and odour, and these will be discussed in turn below.

Overlooking/Loss of Privacy

6.9.2 In terms of residential properties located in the vicinity, there is the possibility of overlooking and the most likely affected are no. 6 (residential flat above shop), 8, 10 and 12, Bridge Street. These properties are opposite the site and between 10m and 15m metres away from the application site.

6.9.3 The lower floor is already in an A1 use and the proposed use of the upper floor as a micro-pub (A3 use) with an element of A1 use and limited brewing facilities is not considered so different in terms of the use to alter the relationship between the application site and surrounding properties. As such, the proposed use at ground floor has a neutral impact.

6.9.4 The upper floor is currently a residential flat with two windows serving two bedrooms looking out onto Bridge Street and potentially the properties opposite. The proposed use will utilise the first floor as a cafe/bar. No additional windows are proposed and the current windows will not be enlarged. The separation distance between the upper floor windows and no. 6, 8, 10 and 12 Bridge Street is 13m, 10m, 11.2m and 15m, respectively which is acknowledged as being limited. Despite this limited distance, the relationship with no. 6, 10 and 12 is at an oblique angle which limits overlooking opportunities. The impact on these dwellings is considered no worse than the existing situation. The relationship with no. 8 is not at an angle and has the most limited separation distance. Whilst this relationship is not ideal, the acceptability of the new proposed use needs to be assessed against the existing situation including the existing overlooking and the location of the site. The existing property currently has two habitable rooms overlooking Bridge Street and, potentially, the

surrounding properties including no. 8. As such, there is potential of overlooking already. The proposed use does not seek to introduce new windows or enlarge them. In this regard the proposal is no worse than the existing situation.

6.9.5 It is acknowledged that the proposed use will intensify the use of the upper floors. The floor space however is modest and the proposed windows are limited in size. Indeed, one of the windows will be adjacent to the top of the new staircase. As such, opportunities for overlooking are minimised despite the use being intensified. Furthermore, properties located along a terraced street particularly in town centres, such as Bridge Street, would have an increased level of overlooking in comparison to less densely developed areas. This is typical and expected in properties in such locations and so the proposals are not considered to result in a relationship which is unusual or adverse.

6.9.6 On balance, the proposed use is not considered to increase the overlooking opportunities to a level which is deemed unacceptable or materially different to the existing situation. The proposal accords with LDP Policy EP1 in this regard.

Noise Impact

6.9.7 The application site is within Usk town centre which is an established commercial area, where A3 uses (and other uses within the A class) are commonplace. Moreover, the retention of A1, A2 and A3 uses is encouraged by planning policy. The residential properties along Bridge Street have been in amongst commercial uses historically and the introduction of a new A3 use at the application site is not considered to adversely affect these properties to an extent which would be harmful.

6.9.8 In terms of the residential flats above commercial uses, there is a level of disturbance expected from commercial units and the proposed use would not increase this impact to a level which is unexpected or unacceptable.

6.9.9 The application has been assessed by the Council's Environmental Health Officer, who has not objected to the proposals. The Environmental Health Officer has acknowledged there is potential noise generation but conclude that 'it is unlikely that the proposed development will cause significant increase in noise levels' which are likely to cause an unacceptable disturbance.

6.9.10 On the basis of the location of the site and limited increase in noise levels likely to occur as a result of the development, the proposal is considered acceptable and in accordance with Policy EP1.

Odour

6.9.11 The proposed use will include a limited amount of on-site brewing which will take place on the ground floor and alongside the proposed A1 use. The product of the brewing process will be solely to serve the proposed micro-pub (A3 use). The extent of the brewing will be limited to once a month (if required) and, therefore, any odour from the proposed use will be limited and sporadic.

6.9.12 Given the limited brewing possible as well as the size of the application site and the fact that the brewing carried out on site is to serve the associated use only, it is unlikely there will be any harmful impact as a result of odour. Indeed, the use is considered less of an impact than an alternative A3 use, for example, a takeaway or restaurant which operates consistently on a daily basis.

6.9.13 The proposal is considered to accord with Policy EP1 in regards to the potential of odour.

6.10 Access / Highway Safety

- 6.9.1 The proposed development does not seek to increase floor space and the change of use is considered to have a minimal impact on traffic generation and parking issues.
- 6.9.2 The current use requires 3no. parking spaces in association with the residential flat and a maximum of 1no. space in association with the shop, totalling a requirement of 4no. spaces. The proposed use requires 1no. space in associating with the residential flat and a maximum of 4no. spaces in association with the micro-pub/shop, which totals 5no. spaces. This has been assessed using the parking requirements for public houses and calculated on the basis of the usable public floor space.
- 6.9.3 The parking provision is marginally different to the existing use and, therefore, not considered to adversely impact on the highway especially given the sustainability credentials of Usk town centre, including access to the public car park within easy walking distance of the site.
- 6.9.4 The proposal accords with Policy MV1.

6.10 Biodiversity

6.10.1 The nature of the application site, an existing commercial area in a highly developed area, is likely to have limited ecological value. Furthermore, the proposed works do not include significant works to the roof. The proposals are considered likely to have minimal impact on ecological features and are deemed to accord with Policy NE1. An informative will be added to the permission to remind the applicant of the steps to take should bats be encountered during works.

6.11 Water

6.11.1 The proposed works will not alter the existing drainage arrangement in terms of foul water and surface water and, therefore, the proposal will have a neutral impact in this regard. The proposal meets the requirements of PPW10 and LDP Policy EP5.

6.12 Affordable Housing

- 6.12.1 The proposal does not result in the net gain of new residential dwellings and, therefore, no affordable housing contribution is required.

6.13 Response to the Representations of Third Parties, Town Council / Usk Civic Society

6.13.1 The Usk Civic Society objected to following issues which are addressed in turn.

Inappropriate replacement shop front

The shopfront as originally submitted was considered inappropriate by the Local Planning Authority and Heritage Officer, as discussed above under the 'Historic Environment' section. The applicant has significantly amended the scheme to provide a shopfront which, whilst a replacement, retains the historic proportions and design. The amended scheme is considered to be appropriate and now has the support of the Heritage Officer.

Proposed signage should be painted;

The original signage was proposed to be aluminum signage attached to the building. This was considered inappropriate and the proposed signage will be painted. This approach is supported by the Heritage Officer.

Details of illumination should be provided

Details of the proposed external illumination has been submitted and agreed. The details will be conditioned to ensure the installed external lighting is in keeping with the historic nature of the Conservation Area in perpetuity.

The introduction of rooflights to the roof is unacceptable

The rooflights as originally proposed on the front elevation were considered inappropriate and have been removed from the scheme. One rooflight is proposed to the rear roof elevation but is not visible since it is screened by the existing rear extension of the building. This is demonstrated in the elevations (drawing number: AL(01)02, Rev. E).

The above discussion demonstrates concerns raised by the Usk Civic Society have been addressed by the significant amendments made to the scheme.

Neighbours Responses

The following concerns were raised by neighbours:

- o Increased noise as a result of the property being used as a pub, music and people smoking;
- o Loss of Privacy; and
- o There are already pubs in the area.

Increased noise as a result of the property being used as a pub, music and people smoking

The potential noise increase has been assessed comprehensively and informed by the response from the Environmental Health Officer, as detailed in section 'Impact on Amenity/ Promoting Healthier Places'.

It is concluded that the potential noise generation is unlikely to be significant and, therefore, will not result in an adverse impact on neighbours.

Loss of Privacy

As discussed under 'Impact on Amenity/ Promoting Healthier Places', the proposed use is not considered to increase the overlooking opportunities to a level which is deemed unacceptable or materially different to the existing situation. The proposal accords with Policy EP1 and not considered to affect neighbours negatively.

There are already pubs in the area

The fact that pubs are already in the area is not a relevant consideration in terms of allowing an additional establishment.

The potential cumulative impact of an additional A3 use is relevant and has been considered in terms of noise generation and overlooking. As discussed above, the proposal is not considered to result in an increase in noise generation and overlooking which is harmful to neighbours.

As discussed in detail throughout this report, it is not considered the proposal will have an adverse impact on neighbours or a materially different impact to the current situation.

6.10 Well-Being of Future Generations (Wales) Act 2015

6.10.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.11 Conclusion

6.11.1 The proposed development is located in a suitable location and is compatible with the surrounding uses and the principle of the development is acceptable in this town centre location.

6.11.2 The proposed changes to the shop front are sympathetically designed preventing any harmful impact on the Conservation Area thus complying with LDP policies HE1 and DES1.

6.11.3 It has also been evidenced in this report that there will be a neutral impact on flooding and no impact on residential amenity in accordance with policies SD3 and EP1, respectively.

6.11.4 The development is has an acceptable impact on amenity and accords with Policy EP1.

6.11.5 The proposal represents a policy compliant development and is recommended for approval.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

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 list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 Samples of the proposed external finishes, including colour of external paint, shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

4 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

5 The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have been submitted and approved in writing by the Local Planning Authority. Thereafter, the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason: To protect the integrity of the public sewerage system and ensure the free

6 The external lighting details provided with the application (confirmed as acceptable in an email dated 30/01/2019) shall be installed in the locations as shown on plan AL(01)02 Rev. E and retained in perpetuity.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.