

APPENDIX 1

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0051/COU 04.03.2013	Mr & Mrs T West Cartref Osborne Road Pontypool Torfaen NP4 6LU	Convert 2 & 3 Beehive Buildings into a photography studio, convert 1 Beehive Buildings into a performance cafe and convert upstairs flat, Beehive House, into a recording studio Beehive Buildings Crumlin Road Crumlin Newport NP11 3QH

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The application building is located on Crumlin Road, Crumlin.

Site description: Detached two-storey building with small basement.

Development: The proposed development involves 3 phases.

Phase 1 (Ground Floor) - The applicant proposed to change the use of Nos. 2 and 3 Beehive Buildings from A1 retail to a photography studio. This will involve putting a doorway between the two units. It is also proposed to add a roller shutter security screen to the front of No. 2, (No. 3 already has an existing roller shutter security screen).

Phase 2 - (Ground Floor and Basement). The applicant proposes to change the use of No. 1 Beehive Building from an A1 shop to a performance cafe (A3 use). The proposed cafe will also extend down into the existing basement.

Phase 3 - (First Floor). The applicant proposes to change the use of the first floor from a residential flat to a music-recording studio. This would consist of two live recording rooms, one control room and a small kitchen and toilet area.

Ancillary development, e.g. parking: Roller shutter security screen to front of No. 2 Beehive Buildings and across doorway leading to first floor recording studio. Replacement signage to advertise the various businesses.

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PLANNING HISTORY

07/1396/FULL - Replace shop fronts to units 2 and 3 - Granted 15.01.09.

10/0825/FULL - Construct new flat access and timber decking and restoration of dome - Granted 10.03.11.

13/0052/ADV - Erect signage - not yet determined.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the Settlement Boundary.

Policies: Policy CW2 (Amenity), CW3 (Design Considerations - Highways).

NATIONAL POLICY Planning Policy Wales and TAN12 (Design).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? There is a change of use proposed and so there are no mining legacy implications.

CONSULTATION

Police Architectural Liaison Officer – Advises on the various security measures that should be adopted.

Transportation Engineering Manager - Raises no objection based on the existing lawful use of the building balanced against the proposed use. Although the proposed uses require additional car parking provision than the existing use (11 spaces compared to 8 spaces), the proposed uses require less commercial parking than the existing lawful uses (1 commercial vehicle compared to 3 commercial vehicles) i.e. delivery vehicles, and therefore when off-set against each other.

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It is not considered that the proposed development would exacerbate parking issues in the area, when the existing lawful use of the building is taken into account. It should be noted that there is a nearby public car park located within approximately 60m of the building which is available to residents and users of the building.

Head Of Public Protection – Has no objections subject to conditions concerning noise insulation, hours of operation, limitations on the extent of the uses, enclosure of the smoking area, odour control, drainage, and the disposal of waste.

Dwr Cymru – No objections subject to the installation of a grease trap.

ADVERTISEMENT

Extent of advertisement: 21 neighbouring properties were consulted and a site notice was displayed near the application site.

Response: Two objections were received.

Summary of observations:

- Lack of off-street car parking provision.
- Noise pollution from performance cafe and recording studio.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? Crime and disorder are not considered to be an issue for this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

ANALYSIS

Policies: The proposed redevelopment of Beehive Buildings incorporates three phases. Each of these phases is considered in terms of its individual merits below.

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Phase One proposes to change the use of the ground floors No's 2 and 3 Beehive Buildings from vacant retail shops to a photographic studio. This is considered to be an appropriate use of these vacant retail units and represents a positive enhancement to the local area.

Phase Two proposes to change the use of the ground floor and basement of No. 1 Beehive Buildings from a vacant unit to a cafe. The applicant proposes to provide live entertainment on Thursday, Friday and Saturday from the cafe in order to generate additional interest in the business. It is considered that the proposed use as a cafe is acceptable given the location of the building within the centre of Crumlin, and conditions will be attached to any permission to ensure no significant noise pollution results from the live performance element. Furthermore, the use of the unit will be restricted to cafe only to ensure a hot food takeaway cannot be operated without the requirement for planning permission.

Phase Three proposes to change the former first floor residential flat to a music-recording studio. The applicant has submitted a noise report outlining the measures to be undertaken to ensure the first floor of the application building is soundproofed and no noise pollution will be experienced by nearby residential properties. Indeed, a music-recording studio by its very nature requires maximum sound insulation.

In light of the above, it is considered that the three elements are acceptable in their own right and comply with the relevant planning policies. Furthermore it is considered that the proposed development when taken as a whole represents a much needed opportunity to improve and revitalise this area of Crumlin which is very much in need of redevelopment and investment. It is considered that the proposed development is acceptable provided appropriate conditions are attached to the planning permission.

Comments from consultees: The Head of Public Protection raises no objection subject to conditions. It would not be reasonable to impose a condition in respect of the smoking area.

The Police Architectural Liaison Officer provides advice to the developer regarding security measures.

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The Transportation Engineering Manager raises no objection based on the existing lawful use of the building balanced against the proposed use. Although the proposed uses require additional car parking provision than the existing use (10 spaces compared to 8 spaces), the proposed uses require less commercial parking requirement, i.e. delivery vehicles, and therefore when off-set against each other, it is not considered that the proposed development would exacerbate parking issues in the area.

Comments from public: In relation to the concerns about noise pollution as a result on the performance cafe and recording studio, the applicant has satisfied the Head of Public Protection that adequate measures will be put in place to mitigate potential disturbance to neighbouring properties. If however a noise nuisance does result, Environmental Health Officers have powers to act by way of a noise abatement notice.

In terms of the concerns regarding lack of off-street parking, the Transportation Engineering Manager raises no objection to the proposed use based on the existing lawful use of the building. At present, the building could be used for A1 retail at ground floor level and residential at first floor level. It is not considered that the proposed use, i.e. photographic studio and performance cafe at ground floor/basement level, and music-recording studio at first floor level, would generate more traffic than the existing lawful use.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The ground floors of No's. 2 and 3 Beehive Buildings shall be used as a photographic studio and associated waiting area only and for no other purpose.
REASON: In the interests of residential amenity.

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- 03) The Ground floor and basement area of No. 1 Beehive Buildings shall be used for as a cafe only and for no other purpose (including any other purpose in Class A3; of 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) without the approval of the Local Planning Authority. REASON: In the interests of residential amenity and to retain effective control over the development.
- 04) The first floor of No's. 1, 2 and 3 Beehive Buildings shall be used as a music-recording studio and for no other purpose (including any other purpose in Class B1 of 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) without the approval of the Local Planning Authority. REASON: In the interests of residential amenity.
- 05) Prior to development commencing details of any external and roof mounted plant/machinery associated with the application shall be submitted to and agreed in writing with the Local Planning authority. These details shall include the location of the plant and predicted noise levels (measured as a LAeq 1 hour) as measured on the boundary of the application site. Thereafter these agreed details shall be fully installed prior to the use of each of the units commencing. REASON: For the protection of residential amenity.
- 06) The music-recording studio shall be restricted to the following hours of operation: 9:00 a.m. to 11:00 p.m. Monday to Saturday, and 12:00 p.m. to 4:00 p.m. on Sunday. REASON: For the protection of residential amenity.
- 07) The opening hours for the Photography Studio at No's 2 and 3 Beehive Buildings shall be restricted to Monday to Saturday 9:00 a.m. to 6:00 p.m. and 12:00 p.m. to 4:00 p.m. on Sunday. REASON: In the interests of residential amenity.
- 08) The opening hours for the Performance Café at No. 1 Beehive Buildings shall be restricted to Monday to Wednesday 8:00 a.m. to 6:00 p.m., Thursday to Saturday 8:00 a.m. to 11:00 p.m., and Sunday 12:00 p.m. to 4:00 p.m. REASON: In the interests of residential amenity.

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- 09) Unless otherwise agreed in writing with the Local Planning Authority. The area shown on the submitted plans as an outdoor smoking area to the north of the existing building, shall be enclosed at all times by a 2 metre high solid, continuous close boarded fence.
Reason: For the protection of residential amenity.
- 10) The measures stated in the Environmental Health Noise Pollution Report submitted on 14 April 2013 shall be installed prior to the commencement of the uses hereby approved to ensure that any noise created by the proposed development shall be kept within the application building.
REASON: In the interests of residential amenity.
- 11) Notwithstanding the submitted plans, details of the proposed roller shutter security screen on the south facing elevation of the application building shall be submitted to and agreed in writing with the Local Planning Authority. Such details shall include the type of shutter to be installed as well as the type of housing unit. The development shall be undertaken in accordance with these agreed details.
REASON: In the interests of residential amenity.
- 12) Should the kitchen be used as a commercial operation to prepare food then a scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority and implemented before first use of the premises commences. The approved scheme shall thereafter be retained for the duration of the approved use.
REASON: To safeguard residential amenity.
- 13) Should the kitchen be used as a commercial operation to prepare food, the Applicant shall submit a scheme of foul drainage to include a grease trap and such scheme will be approved in writing by the Local Planning Authority and implemented before first use of the premises commences. The approved scheme shall thereafter be retained for the duration of the approved use.
REASON: To safeguard residential amenity.
- 14) The premises shall have adequate arrangements for the storage, collection and disposal of commercial waste in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented before first use of the premises commences.
REASON: To safeguard residential amenity.

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Application 13/0051/COU Continued

Advisory Note(s)

Please find attached the comments of The Police Architectural Liaison Officer, Head of Public Protection and Dwr Cymru\Welsh Water that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: Policy CW2.
