

| Code No. and Date Received | Name and Address of Applicant   | Description and Location of Proposed Development  |
|----------------------------|---|---|
| 17/1072/COU<br>21.12.2017  | United Welsh Housing Association<br>C/o LRM Planning Ltd<br>Mr M Rees<br>22 Cathedral Road<br>Cardiff<br>CF11 9LJ | Change the use of the existing offices (B1) to residential accommodation and support for young people aged 16 to 25 (C2) and construct new lobby (7.5 sqm)<br>Park Villas<br>Park Road<br>Bargoed<br>CF81 8SP |

**APPLICATION TYPE:** Change of Use

### SITE AND DEVELOPMENT

Location: The application site is located on the corner of Park Road and Ruth Street, Bargoed.

Site description: Two-storey detached building. Currently vacant, formerly used as B1 office accommodation.

Development: It is proposed to change the use of the building from B1 office use to a C2 residential accommodation use to include support for young people ages 16 to 25. The proposal will provide two self-contained flats, six bed sits, communal areas, office and meeting space and overnight accommodation for staff. The scheme will be managed by Llamau, and will form a direct replacement for the existing scheme at 39 Cardiff Road, Bargoed. The scheme at 39 Cardiff Road has been operating in excess of 15 years and is due to be decommissioned. The aim of the scheme is to provide young people with the support they need to enable them to move on to full independent living. Such support could range from health to help with training, job seeking and budgeting/practical skills, subject to the individual needs of residents.

Ancillary development, e.g. parking: Off-street parking provision for 4 cars is proposed. A small lobby (7.5 sq. metres) is also proposed on the north facing elevation.

### PLANNING HISTORY 2005 TO PRESENT

15/0458/FULL - Provide alterations and extend existing building to form 4 residential dwellings - Granted 02.11.15.

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## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within the settlement boundary.

Policies: SP1 - Development Strategy in the Heads of the Valleys Regeneration Area, SP6 - Place Making, SP21 - Parking Standards, CW2 - Amenity, CW3 - Design considerations - Highways, CW15 - General locational constraints, CW18 - Locational constraints - Housing for People in Need of Care, supplementary planning guidance LDP5 - Parking Standards, LDP6 - Building Better Places to Live, LDP7 - Householder Development.

NATIONAL POLICY Planning Policy Wales and TAN 12 - 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? Not an issue in respect of this planning application.

### CONSULTATION

Transportation Engineering Manager - No objection subject to a condition that requires the proposed parking area to be provided prior to first use of premises for its approved use.

Head Of Public Protection - No objection.

Bargoed Town Council - Raises objection to the proposed development and request wider public consultation be undertaken by the Local Planning Authority.

Dwr Cymru - Provides advice to the developer.

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## ADVERTISEMENT

Extent of advertisement: Twelve neighbouring properties/premises were consulted by way of letter and a site notice was displayed near the application site.

Response: 29 objection letters have been received.

### Summary of observations:

1. Development will result in anti-social issues;
2. Neighbour consultation process undertaken by Local Planning Authority is flawed and more neighbouring properties should have been consulted as part of the planning application;
3. Noise disturbance from proposed use;
4. Request that site be developed for 4 properties in line with previous planning permission on the site;
5. Lack of supervision of tenants during the day;
6. Other similar schemes in the area have regular drug and crime activity associated with them;
7. Devaluation of nearby properties;
8. Position of proposed smoking shelter, bike store and bin store will result in increased noise/air pollution.

It should also be noted that the developer also carried out a public consultation exercise prior to submitting the application. This consisted of letters to approximately 145 nearby properties inviting them to an exhibition and directing them to the agents website. As a result of this exercise, 48 representations/letters were submitted to the agent, as well as a petition signed by 171 residents objecting to the proposal. According to the pre-application consultation report submitted by the agent, the objections raised in these representation (not covered above) were as follows:

- Loss of privacy;
- Concerns over traffic/parking;
- Query relating to using other vacant buildings outside residential areas;
- Concerns relating to introducing young people into an 'aged community';
- Query over bat survey;
- Concerns over construction noise;
- Increased car/house insurance as result of development;
- Concerns over safety of existing residents of area;
- Query relating to reduction in council tax for local residents;
- Query for council to pay and install panic buttons/alarms;
- Concerns development would change sense of community;
- Concerns over litter.

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These matters have been satisfactorily addressed in the applicants pre-application consultation report and do not represent reasons that would warrant a refusal of planning permission.

#### 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? A preliminary roost assessment was undertaken. On the basis of this report it is not considered that the development will have a detrimental impact on biodiversity, subject to the recommendations contained within the report being complied with.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? C2 use is not CIL liable.

#### ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance.

The main issues in respect of the residential development of this site are considered to be the compatibility of the use with surrounding land uses, the effect of the development upon the character of the surrounding area and upon the amenity of occupiers of neighbouring properties, and also in terms of highway safety.

Given that the site subject of this application is included within the settlement boundary for Bargoed as identified in the LDP and is also a Brownfield site, it is considered that in policy terms the development of the site would be consistent with Policy SP5 of the LDP i.e. it promotes the full and effective use of urban land and serves to concentrate development within the existing settlement.

Policy CW18 of the LDP sets out criteria relating to the provision of housing for people in need of an element of care, either through change of use or new development. The proposed supported living accommodation meets the relevant criteria because it is located within the defined settlement boundary and there is safe and easy access to existing community facilities, local shops and services.

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Policy CW2 sets out criteria relating to amenity and contains the following criteria: -

- A There is no unacceptable impact on the amenity of adjacent properties or land;
- B The proposal would not result in over-development of the site and/or its surroundings;
- C The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use;
- D Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

In response to Criterion A it is not considered that the proposed use will have an unacceptable impact on the amenity of adjacent properties. The proposed scheme consists of eight residential units with an element of support and care. Such a C2 residential institution use is considered to be an appropriate use of land in a predominantly C3 (individual dwellinghouses) residential area.

With regard to the issue of over-development (i.e. Criterion B), it is not considered the proposal would constitute over-development of the site. The amount of development can be adequately accommodated on the site with a reasonable level of external amenity space/parking provision/bin storage/smoking shelter to serve the proposed development.

Criterion C seeks to ensure that the proposal does not constrain the authorised neighbouring land uses. In this regard the proposed use conforms to its mainly residential surroundings and it will not adversely impact on these activities. The proposed supported living accommodation falls within Use Class C2, which as a group includes other uses such as: residential schools and colleges, convalescent and nursing homes, which are uses that are generally accepted as compatible within a predominantly residential neighbourhood but may not be appropriate on this site. Therefore it is appropriate to restrict the grant of any permission to the proposed use and not to any other within the overall use class. This may be addressed by attaching a condition to any consent.

In terms of highway safety, the Transportation Engineering Manager raises no objection to the proposed development subject to a condition to ensure the proposed car parking area is provided in accordance with the submitted plans.

Comments from Consultees: No objection is raised by consultees subject to conditions and advice.

Comments from public:

1. Development will result in anti-social issues - The proposed scheme relates to providing support for young people and children, with 24/7 staffing of the development. There is no reason to assume such a use will result in anti-social issues.

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2. Neighbour consultation process undertaken by Local Planning Authority is flawed and more neighbouring properties should have been consulted as part of the planning application - The application consultation was carried out in accordance with the Local Planning Authority's consultation procedure, including advertising the application by way of site notice adjacent to the site.
3. Noise disturbance from proposed use - It is not considered that the use, i.e. a residential use with associated office facilities, would cause unacceptable levels of noise.
4. Request that site be developed for 4 properties in line with previous planning permission on the site - The current application must be considered on its individual planning merits.
5. Lack of supervision of tenants during the day - Llamau will operate the scheme, and have the relevant experience to appropriately manage would-be occupiers.
6. Other similar schemes in the area have regular drug and crime activity associated with them - No evidence has been submitted to support this claim.
7. Devaluation of nearby properties - There is no evidence to support this, however this is not a planning consideration.
8. Position of proposed smoking shelter, bike store and bin store will result in increased noise/air pollution - If use of these areas did lead to unacceptable levels of noise disturbance, the scheme operator would be required to resolve such matters. Furthermore, powers exist under environmental health legislation to control such noise nuisances.

Other material considerations: The proposed lobby on the north elevation of the building is considered to be acceptable in terms of its siting, massing and design.

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. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

**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.

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- 02) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing No. (SK)200C, Proposed ground floor plan, received 14.12.2017;  
Drawing No. (SK)201A, Proposed first floor plan, received 14.12.2017;  
Drawing No. (SK)202B, Proposed elevations, received 14.12.2017;  
Drawing No. (SK)203A, Proposed elevations, received 14.12.2017;  
Drawing No. (SK)302A, Proposed site layout, received 14.12.2017.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.  
REASON: In the interests of the visual amenities of the area.
- 04) The premises shall be used for the use applied for and subject of this consent and for no other purpose (including any other purpose in Class C2 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 the amenity of the area.
- 05) Notwithstanding the submitted plans, prior to the commencement of any works on site, details shall be submitted to the Local Planning Authority providing further details of the proposed smoking shelter, bike store and bin store. The development shall be carried out in accordance with these agreed details.  
REASON: In the interests of the visual and residential amenity of the area.
- 06) The development hereby approved shall be carried out in accordance with the recommendations made in Section 5; of the bat survey report dated September 2007; prepared by Wildwood Ecology; unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure adequate protection to protected species.

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- 07) Prior to the commencement of the use hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the existing property at Park Villas, Park Road, Bargoed, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).
- 08) Prior to the commencement of the use hereby approved, details of the provision of nesting sites for bird species (House martin) in the existing property at Park Villas, Park Road, Bargoed, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new use hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

Advisory Note(s)

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority).

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 and CW3.

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which

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implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

