

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
20/0634/COU 30.07.2020	Lilyalex Properties Unit 31 Evans Business Centre Western Industrial Estate Caerphilly CF83 1BE	Change use and erect extension at Y Fron from Guest House (C1) to HMO to be used for Emergency Housing/Move on Accommodation (Sui Generis) and associated works Y Fron Mountain View Pwllypant Caerphilly CF83 3HW

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: Y Fron, Mountain View, Pwllypant, Caerphilly, CF83 3HW.

Site description: The application site comprises of a detached building (Y Fron guesthouse) and associated curtilage located to the west of the A469 road. To the west the land rises sharply to Central Street with residential dwellings located at a higher level. To the east is the A469 road with Woodland beyond. To the south is Broadlands bungalow a detached property.

Development: The proposal comprises the Change of use and extension of Y Fron from Guest House (C1) to House of Multiple Occupation to be used for Emergency Housing/Move on Accommodation (Sui Generis) and associated works.

The existing layout of the guest house has, on the ground floor, a Managers bedroom and two other bedrooms with en-suite facilities, a dining room, kitchen, boiler room and storage area and internal fire escape. The existing first floor includes five bedrooms (2 with en-suite facilities) and a bathroom. The existing second floor has three bedrooms (2 with en-suite facilities).

The proposed layout shows at ground floor level a Managers bedroom and two bedrooms with en-suite facilities as well as a kitchen within the original footprint of the building. In addition at ground floor a further three studio apartments and a further kitchen area will be located in extensions to the original building.

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The proposed first floor layout includes five bedroom (2 with en-suite facilities) and a bathroom within the original footprint of the building and a further three studio apartments within the extension.

The proposed second floor layout shows three bedrooms within the existing footprint of the building.

Dimensions:

The main portion of the extension which has a pitched roof measures approximately 18.5m by 7m and has a ridge height of 8.4m.

A two storey flat roofed link element measures approximately 16.5m by 1.8m (max extent) with a height of 6m.

A single storey element measures approximately 3.4m by 6.2m with a height of 3.4m.

Materials: Walls: Finishes to include stone cladding to match existing building, face brickwork and vertical slate tiling. Roof: New pitched roof elements to be fibre cement slate and new flat roofs to be grey single ply membrane.

Ancillary development, e.g. parking: Demolition of existing single storey element to facilitate extension, wall and creation of a car park.

PLANNING HISTORY 2010 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary.

Policies: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), and CW15 (General Locational Constraints).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

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SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is a Low risk area, and so it is intended to attach an informative note about mining conditions in the area.

CONSULTATION

Senior Engineer (Land Drainage) - The Land Drainage officer response concludes that they have no objection subject to SAB Approval. They request further information in respect of compliance with SAB but advise that a SAB pre-application advice has been received by the Land Drainage section and is currently under consideration.

Transportation Engineering Manager - No objection subject to parking/turning area being provided prior to occupation of the extension.

Head Of Public Protection - Environmental Health have no adverse comments to make with regards to the above planning application.

Ecologist - We note that the bat survey did not identify any bats using the part of the building that may be affected by the works.

All Public Bodies, including Caerphilly County Borough Council have a legal obligation under the Environment (Wales) Act 2016 to conserve and enhance biodiversity. These are actions we take directly and through those actions which we consent. To achieve a biodiversity enhancement for this development, we recommend that the applicant install bird and bat boxes.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters.

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Response: No responses were received relative to the consultation exercise.

Summary of observations: None.

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?

It is not considered that crime and disorder will be materially affected by the development.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? A survey was carried out and no evidence was found, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Not liable.

ANALYSIS

Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity and the visual appearance of the development on the character of the area.

The proposal comprises the Change of use and extension of Y Fron from Guest House (C1) to a House of Multiple Occupation to be used for Emergency Housing/Move on Accommodation (Sui Generis). The application site is within the defined settlement boundary and the proposal is acceptable in principle conforming with the requirements of Policies CW15 (General Locational Constraints) and SP5 (Settlement Boundaries).

In respect of housing delivery the national planning guidance document Planning Policy Wales (PPW) acknowledges that there must be "sufficient sites suitable for the full range of housing types to address the identified needs of communities" (paragraph 4.2.11).

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The application details submitted includes a letter in support of the development from the Council's Emergency Housing Manager who writes "Under the Housing Wales Act 2014, local authorities have a legal obligation to provide emergency accommodation to persons accepted by them has being owed such a duty and this authority is currently heavily reliant on Bed & Breakfast facilities like Y Fron to assist us with this emergency housing duty." The Emergency Housing Manager also comments that "Due to demand, coupled with the lack of rehousing options available, Y Fron Guest House is a facility that is constantly used and is normally operating at full capacity, with the right permissions, I would support any increase in room capacity at Y Fron Guest House." It is therefore considered that the proposal will assist with the provision of Emergency accommodation and contribute to meeting the needs of the community in line with Planning Policy Wales.

PPW also advises that "Maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure on greenfield sites" (paragraph 4.2.17). In terms of the application site it conforms to the definition of 'previously developed land' as set out in PPW and is underutilised having a sizeable undeveloped curtilage area. The proposal therefore accords with the aim to better utilise previously developed land located within the defined settlement boundary.

The Welsh Government has published a practice guidance note on Housing in Multiple Occupation in March 2017 which advised that "HMOs provide a source of accommodation for certain groups, including students temporarily resident in a locality and individuals and/or small households unable to afford self-contained accommodation. Concerns can arise with the management of HMOs because of the transient nature of many tenancies, with many residents on low incomes and/or from vulnerable groups, the intensive use of shared facilities and lack of interaction between residents who may be complete strangers to each other. Consequently, HMO use of a house will generally be more intensive than single household use. This may have an impact not just on the residents in an HMO but on the wider neighbourhood and the likelihood of this increases where there are high concentrations of such properties." (Paragraph 1.3 WG HMO practice guidance note).

In terms of this application the proposed building has an established use class C1 as a Guest house with 10 guest bedrooms and an additional Managers bedroom and therefore this use has an existing impact on the nearby residential properties. The proposed change of use and extension would increase the capacity of the building to a total of 16 bedrooms and also an additional Managers bedroom.

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However the six new bedrooms would themselves be 'studio style' and have cooking facilities within each unit meaning there would be less reliance on those occupying them to use shared facilities for these additional units. The submitted plans also include an additional new kitchen area for the main house which is considered particularly beneficial in providing additional capacity in terms of shared space for the operation of the non-studio style accommodation within the building.

In terms of the impact on surrounding residential properties that include Brooklands and other residential properties located at broadly the same level to the south, it is noted that the new accommodation proposed is on the northern side of the building (furthest from the footprint of Brooklands and these other residential properties). There are only relatively small amendments proposed to the internal layout of the existing parts of the guest house building on the application site and these do not materially alter overlooking or the existing levels of privacy between the guest house building and Brooklands. In respect of properties on the upper part of Central Street to the west of the site, these properties are located at a substantially higher level than the site and it is not considered there will be a significant impact on their amenity.

In respect of the proposed change of use and extension it is noted that there will be an increase in persons occupying the extended property due to the increase in bedrooms. The new units include cooking facilities within them and therefore may reduce the need for use of shared facilities elsewhere within the building. Having considered the existing use as a guest house and the proposed use as an HMO/Emergency Housing/Move on Accommodation it is not considered that there will be unacceptable impact on neighbour amenity resulting from either the proposed change of use or the extension and associated increased levels of occupation.

There is not a high concentration of Houses of Multiple Occupation in the immediate vicinity of the application site and therefore it is not considered that a cumulative impact of such HMOs is a material consideration in this instance. The development accords with adopted Local Development Plan Policy CW2 (Amenity).

In terms of the impact of the proposed alterations on the character of the area the proposed extension is (in part) two storeys in height and has a lower ridge height than the existing Y Fron building. The design of the extension is considered acceptable in its form having an appropriate impact on the character of the existing property and the wider area according with Local Development Plan Policy SP6 (Placemaking).

The proposal has including sufficient parking and the Highway Authority has raised no objection to the development. It accords with adopted Local Development Plan Policy CW3 (Highways).

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The submitted plans include a length of retaining wall to be located at the base of an embankment on the south-west side of the site where excavations have previously been carried out. It is proposed to require via planning condition full details of this retaining wall and associated structural calculations to ensure a suitable form of construction is agreed and carried out.

Comments from Consultees:

The Council's Ecologist has requested ecological enhancement and this is proposed to be secured via a planning condition.

The Senior Engineer (Land Drainage) has requested further details on compliance with SAB approval but has confirmed this is a formal requirement and has also advised that the applicant has submitted separate pre-application information under the drainage section's SAB guidance service. The application site is of a substantial size indicating there would be scope to include measures to accord with Sustainable Drainage requirements. It is therefore considered that this matter can be dealt with under the SAB approval process and an informative is proposed to be attached to the permission to draw the applicant's attention to the need to obtain SAB approval.

Comments from public: None.

Other material considerations:

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.

The proposed change of use and extension would have an acceptable design and impact on neighbour amenity and is recommended for approval accordingly.

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:
- Site Location Plan, drawing reference 2770[C]S(0)01 revision A, received 30.07.20;
 - Proposed Site plan, drawing reference 2770[C]L(0)P200 revision C, received 30.07.20;
 - Proposed Ground Floor plan, drawing reference 2770[C]L(0)P201 revision A, received 30.07.20;
 - Proposed First Floor plan, drawing reference 2770[C]L(0)P202 revision A, received 30.07.20;
 - Proposed Second Floor plan, drawing reference 2770[C]L(0)P203 revision A, received 30.07.20;
 - Proposed Roof plan, drawing reference 2770[C]L(0)P204 revision A, received 30.07.20;
 - Proposed North side Elevation plan, drawing reference 2770[C]L(0)205, received 17.08.20;
 - Proposed Front (east) Elevation plan, drawing reference 2770[C]L(0)206 revision A, received 30.07.20;
 - Proposed Rear (west) Elevation plan, drawing reference 2770[C]L(0)207 revision A, received 30.07.20;
 - Proposed Section A-A plan, drawing reference 2761[C]L(0)208, received 30.07.20;
 - Proposed Section C-C and D-D plan, drawing reference 2761[C]L(0)209 revision A, received 30.07.20;
 - Bat Activity Survey, Ecological Services Limited report, dated 21st July 2020.
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 04) Bird and bat boxes as detailed in Section 8 of the Bat Activity Survey Report, V1.0 July 2020 shall be incorporated into the new build. The boxes shall be retained in situ for a minimum of 5 years as detailed in the report.
REASON: To provide nesting for birds and 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).

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- 05) Prior to the proposed extension being brought into beneficial use the area indicated for the parking and turning of vehicles shall be laid out in accordance with the submitted plans and those areas shall not thereafter be used for any purpose other than the parking and turning of vehicles.
REASON: To ensure that adequate parking and turning facilities are provided within the site in the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Notwithstanding the submitted plans, prior to the commencement of any work involving the construction of retaining walls on site full engineering details and structural calculations for the proposed retaining walls, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and agreed by the Local Planning Authority. Following construction of the agreed structural walls additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to occupation of the approved development.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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.

WARNING:

SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

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The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: www.caerphilly.gov.uk/sab

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 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 find attached the comments of Senior Engineer (Land Drainage) that are brought to the applicant's attention.

