

Application Number: 23/0347/COU

Date Received: 06.06.2023

Applicant: Llanover Estate

Description and Location of Development: Change the use from office building to residential for 8 no. flats - Crumlin Institute Buildings Crumlin Square Crumlin

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: Crumlin Institute Buildings, Crumlin Square, Crumlin

Site description: Three storey building located on Crumlin square to the east of Main Street.

Development: Change the use from office building to residential for 8 No. flats

Dimensions: The building measures approximately 29m wide by 28m deep at its maximum extent, however it tapers significantly from back to front with the rounded front being approximately 5m in width. The height of the building is approximately 12.5 metres.

Materials: A brick and stone fronted building with areas of render to the rear elevation.

Ancillary development, e.g. parking: Addition of two windows on the north elevation and one window in the west elevation.

PLANNING HISTORY 2010 TO PRESENT

No relevant planning history.

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: CW2 (Amenity), CW3 (Highways), CW8 (Protection of Community and Leisure Facilities), CW11 (Affordable Housing Obligations), CW15 (General Locational Constraints), SP5 (Settlement Boundaries), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Future Wales: the National Plan 2040, Planning Policy Wales (Edition 11), Technical Advice Note 12: Design.

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP 6 (Better Places to Live).

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 it is recommended that informative note about mining conditions be attached to any decision notice.

CONSULTATION

CCBC Housing Enabling Officer - The building is located in the Crumlin Ward, which for the purposes of the Affordable Housing Supplementary Planning Guidance, falls within the Rest of Caerphilly housing viability area. This area has an affordable housing target of 10%.

The 2018 based LHMA shows a requirement for 1 bed accommodation in the Crumlin Ward.

In terms of an affordable housing contribution the development would provide 8 units of 1 bed accommodation. 10% of 8 units equates to 1 unit of affordable housing when rounded.

Since the Grenfell Tower fire, social landlords have been reluctant to accept affordable housing contributions in flats in converted buildings because of issues relating to fire safety. In such instances the approach has been to seek an off-site contribution. The contribution can be made by way of land, a commuted sum or a mix of the two.

If a commuted sum were to be provided it would be worked out as follows:

ACG £ per unit x % SHG x N = £ financial contribution
£107,200 x 58% x 1 = £62,176

The affordable housing contribution would be paid to the Council and would need to be secured by a S106 agreement.

Should viability be an issue then paragraphs 5.4-5.7 will apply.

Senior Engineer (Drainage) - Request that a planning condition be attached to require drainage details.

Dwr Cymru - The proposed development site is crossed by a public sewer. Advice is provided for the applicant.

Transportation Engineering Manager - CCBC - No objection. Whilst the development has no dedicated off-street parking within its curtilage the existing building floorspace subject to the proposed change of use would have a higher requirement in terms of parking for the existing use (49 parking spaces) versus the proposed use (9 parking spaces).

Environmental Health Manager - No response received.

Estates Manager - Property Division - There are no comments from Property Services.

Heritage Officer - Peter Thomas - Visually, the most prominent change is the introduction of new windows to the upper floor. Whilst the plans indicate that these are to match the existing there is no detail to support this.

The existing windows are largely of modern materials, however, they sit within Ashlar surrounds. It is essential that this is replicated if the proposal is to preserve the character and appearance of the building and wider area.

It is advised that these details are controlled by condition.

ADVERTISEMENT

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

Response: Representations have been received from a member of the public and a local councillor who has requested the application be reported to planning committee for decision.

Summary of observations:

- Concerns in relation to parking problems in the area.
- Concerns in respect of bin storage and highway implications.

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?
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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? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The site is within the medium viability area for CIL purposes attracting a CIL charge of £25/sqm.

ANALYSIS

Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main issues to take into account as part of the determination of this application are the impact on neighbour amenity and the visual appearance of the development and its impact on the character of the area.

The Crumlin Institute is a prominent brick and stone fronted three storey building within Crumlin located on Crumlin Square. Due to the topography the building appears as two storey from the west where there is an entrance from Main Street which is set above the level of Crumlin Square. The building as existing has 7 business units (some vacant) on the lower ground floor level which will remain as part of the proposals. The proposal would, therefore, involve the conversion of the ground and first floors above to provide eight self contained one bedroom flats with the layout accommodating four flats on each of the floors.

Minor works are proposed to the facade of the building to facilitate the proposed change of use of the upper floors to residential and these would include the provision of two additional windows on the north facing elevation and one additional window on the west facing facade. The proposed changes would have an acceptable visual impact on the building and the character of the area according with adopted Local Development Plan Policy SP6 (Placemaking).

The impact on neighbour amenity has been considered. The building is relatively well separated from surrounding residential properties with a distance of at least 21 metres between existing (and proposed) habitable room windows in the Institute building and the existing habitable room windows in surrounding properties in residential use. An exception to this is the Railway Hotel which has living quarters located approximately 13.5m from the Institute building. This public house building has its public front facing windows looking over the square and towards the application property, which in turn,

has a number of windows already looking towards the Railway Hotel meaning that this property is currently subject to a degree of overlooking. It is considered, therefore, that the proposed conversion would not have an unacceptable impact on the existing levels of privacy presently enjoyed by the occupiers of the living quarters of the Railway Hotel nor to any other surrounding property. The development would, therefore, accord with Policy CW2 (Amenity) of the adopted Local Development Plan, having an acceptable impact on the amenity of surrounding residential properties.

The building does not have any parking provision, however, noting that this is the conversion of an existing building with no additional floorspace created, it is not considered that the proposal for flats would lead to a greater demand for parking within the area than the existing floorspace, were to be used for office/community purposes. The location is also close to existing shops and community facilities and in easy walkable distance of bus stops. It is therefore considered that the location is sustainable in nature and noting the existing parking demand for the building there would be no unacceptable impact on the local parking situation as a result of the proposed change of use. The development would, therefore, accord with Policy CW3 (Highways) of the adopted Local Development Plan.

Comments from Consultees:

With regard affordable housing provision the developer has provided information on viability which having been reviewed by the Planning Policy Officer is considered to demonstrate that the scheme would be unviable with the affordable housing contribution requested by the housing officer. On this basis, therefore, it is not considered that the request for an off site contribution can be justified in this instance.

Comments from public:

- Concerns in relation to parking problems in the area

The Transportation Engineering Manager has reviewed the proposal and whilst the building has no off-street car parking the previous use of the floors for office/community use would have had a substantially higher demand for car parking than the proposal for 8 residential units. As such it is not considered that there would be any unacceptable impact on parking within the area.

- Concerns in respect of bin storage

The applicant has indicated that bin storage could be located on the lower ground floor of the building and it is proposed to require a scheme of bin storage to be agreed via a planning condition prior to the residential use being brought into beneficial use.

Other material considerations:

It is noted that the building has been partially used by Caerphilly County Borough Council youth/education services in the past. Consideration has therefore been given to

Policy CW8 (Community and Leisure Facilities) of the adopted Local Development Plan. Policy CW8 advises that

"Proposals that would result in the loss of a community and/or leisure facility will not be permitted except where:

- A) A comparable replacement facility can be provided by the developer either on or off site, and within easy and convenient access on foot or by bicycle, or
- B) It can be demonstrated that the facility is surplus to requirements"

The facility has been demonstrated as surplus to requirements as outlined in a report by the Corporate Director for Education and Corporate Services to cabinet (13th April 2022) which included the following statement in its reason for recommendations: "The Service has considered its requirements for service delivery and concluded that the building is no longer required". As such it is considered that the proposal accords with criterion B of Policy CW8.

The site falls partially within a designated Flood Zone B, however, flooding has not been identified as a localised problem and the change of use is restricted for areas of the building above the lowest floor. As such it is not considered that flood risk is an overriding material consideration for this particular proposal.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 12 has also been published in February 2024. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 12 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 12.

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.

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REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 02) The development shall be carried out in accordance with the following approved plans and documents:
- Proposed Lower ground floor, drawing reference 01-23;
 - Proposed Ground Floor, drawing reference 03-23;
 - Proposed First Floor, drawing reference 02-23;
 - Site plan;
 - Proposed Elevations drawing reference 06-23;
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the commencement of the relevant works, full details of the proposed windows including their surrounds shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall be carried out in full in accordance with such approved details and thereafter retained.
Reason: To ensure an appropriate design and detail for the windows is agreed to protect the appearance of the building in accordance with policy SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Notwithstanding the submitted plans prior to the residential occupation of the development a scheme for refuse storage shall be submitted to and agreed in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the agreed details prior to the first occupation of the development.
REASON: In the interests of public health and the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage in accordance with policy CW5 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.

Please find attached the comments of Dwr Cymru that are brought to the applicant's attention.