

06/02/2025

Planning Dept.,

Newport City Council,

Civic Centre,

Newport.

Ref: Resubmission of Scheme ; Retained use as A3 and Proposed use as a 5 Self Contained Apartments and 2 Bedsits in lieu of "managers accommodation and 6 rooms for 'hotel' rent"

42 Brunel Street, Newport, South Wales.

DESIGN AND ACCESS STATEMENT

Please find attached a planning application relating to the above address. The application has been submitted using the planning portal.

This application is a resubmission of the original taking into account the following reasons for refusal; The rebuttal of the reason or appropriate mitigation is added under each section;

Reason 1.

01 The development, in particular the extension of the parking area, would have a significant adverse impact upon interests of acknowledged importance, namely the impact upon the street tree. No information has been provided to mitigate this objection in the form of a Tree Survey submitted in accordance with BS 5837:2012 by a bona fide Tree Consultant, contrary to Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).

The Local Authority trees and Woodlands Officer has made the following statement;

1. *Gill also raised issues – see attached .*

This is an incorrect statement, what was stated by the Landscape consultant is clear, "*as a minimum a plan or Condition is required to ensure this is adequately protected by fencing to the extent of the root protection area during construction phase to avoid storage of materials etc*"

It clearly states a condition is acceptable, not ask for a refusal, it doesn't mention that. Also as part of this application a Tree consultant has been engaged to avoid the said condition.

2. *Existing and Proposed Block Plan SD724 01a shows a clear incursion into NCC land shown as orange - it alludes to this on the plan : "property ownership does not align with the grass verge " This is clearly unacceptable and was previously raised in my original comments along with tree issues.*

This statement is also incorrect, in no way does the drawing SD724 01A show the boundary extends over NCC land, the officer concerned has been obstructive in not accepting evidence in the form of the Title Deed, measurements, block plans etc. in this application the site boundary is marked, dimensioned and is clearly illustrated. On site the grass growing over the boundary of the charities land has been removed. My original statement was “property ownership does not align with the grass verge “, that is true, as the grass verge protruded over the boundary, and onto tarmac extending into the site, however the negativity of the officer concerned show how they preferred to be obstructive. The reason for refusal is incorrect there is no incursion into NCC land, and to quote from the officers statement it is ‘totally unacceptable’ that a council report contains incorrect information.

Reason 2.

02 The development would have a significant adverse impact upon interests of acknowledged importance, namely the amenity of future residents and the surrounding area, due to inadequate and poorly designed waste storage arrangements for both the residential and commercial elements of the scheme. The bin storage would be internal to the building which would result in odours, to the detriment of the amenities of future occupiers. The waste storage arrangements are contrary to the requirements of the Waste and Recycling Supplementary Planning Guidance and Policy W3 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

The site and uses of many areas including cycling, meeting rooms, parking were the subject of consultation, this reason for refusal was added despite the environmental health consultant not raising an objection. Their statement read;

“Waste storage and Recycling Prior to first beneficial use, a scheme for the provision of waste storage and recycling shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first beneficial use and thereafter maintained for the duration of the use.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected “

This indicates that there is some other reason that Newport LPA chose this reason for refusal when it wasn't requested?

03 The development would have a significant adverse impact upon interests of acknowledged importance, namely it represents an unsustainable form of development which fails to be mitigated by contributions towards affordable housing and off-site leisure improvements. As such, the scheme is contrary to the Planning Obligations SPG dated January 2020 and policies SP1, SP13 and H4 of the Newport Local Development Plan 2011- 2026 (Adopted January 2015).

This standard refusal for schemes that do not complete The S106/Cil payment procedure, in this application a unilateral undertaking will be provided to prevent Newport for using this as a reason.

Continued from previous application

1.0 APPLICATION PROPOSAL

The proposal is create a viable use for this currently disused property. Brunel Street does not fall within the Lower Dock Street Conservation Area.

The property is currently vacant, and is in need of serious levels of maintenance. It has been subject to a notice to improve but the lack of consent has prevented such action. It's previous use was as a public House/hotel. To make it abundantly clear this area will not be licenced for Alcohol or Music as part of this application.

The Public House was on the ground floor and first floor, and Managers Residence on the first floor and rental flats on the first and second floor.

The proposal is to retain the ground floor as an unlicensed community facility D2.

To help ensure a long term viable future for the property, a mixed use has been proposed.

The ground floor structure will be retained as is, with the upper floors adjusted to form Five self-contained Apartment's and Two Bedsits.

Brunel Street is in the heart of the Newport City Centre and the locality consists of two storey Victorian Terraces. Ground floors are used for a mix of commercial and residential uses.

Brunel Street at Mill Parade, has been allocated as an area in need of investment.

The new visitor centre opposite the SDR will require a vibrant community around it.

2.0 PLANNING HISTORY

The site was previously The West of England but is now vacant in common with other shops and businesses on this street.

The Rear Extension was granted permission in 1999 under Consent 99/1264 other than this there are no other recorded consents. One thing that should be noted that consent was granted with the condition, *The use of the extension should restricted to storage purposes only and shall not be used as a publicly-accessible area or as an extension to the public facilities or drinking area*

Reason: In the interests of residential amenity

Historically, this condition was never adhered to, and the actual use was only ever as public open space and drinking, so in the current alteration to the building, the proposed use will remove that use from the first floor "extension" completely, and as the GF part building will be used as an establishment for the general public to use, rather than as a bar, this will also prevent further breaches of that condition on the ground floor.

3.0 APPRAISING CONTEXT

The property is located in Brunel Street in Newport City Centre which is located in the heart of the Newport City Centre. Ground floors are to be used as a Community Facility.

Many of the buildings in the area still retain some of their original features and this is no exception.

This property is attractive architecturally but has been vacant for some time, similar to other properties on the street. These external features will remain and be enhanced and renovated.

The upper floors will be residential which will match the majority of the usage in Brunel Street.

The proposed use will perform a service to the City Centre with the Community Hall; whilst providing a sustainable use for the upper floors and much needed City Centre accommodation, which will in turn provide a more pleasant feel to the City centre throughout the day and night. Planning policies support the use of City Centre upper floor for flats.

The ground floor's mixed use will maximise the use of the building and this diversification will add another type of attraction to Brunel Street. The ground floor will be retained with a separate access door to that which serves the residential accommodation.

The proposed frontage will be retained as far as possible.

There is no requirement for additional parking as the apartments and bedsits are located in the zone 2 and an analysis is drawn up and attached as parking assessment.

4.0 PLANNING POLICY

In relation to the Planning Policy Wales, the UDP, LDP SPD the application meets the following principles.

SP1 Sustainability

SP3 Flood Risk (TAN 15)

SP9 Conservation of the Natural, Historic and Built Environment

SP10 House Building Requirement

SP12 Community Facilities

SP13 Planning Obligations

SP18 Urban Regeneration

H1 Housing Sites

H2 Housing Standards

H3 Housing Mix and Density

H4 Affordable Housing

H5 Affordable Housing Exceptions

H8 Self Contained Accommodation and Houses in Multiple Occupation

TAN 15 Flooding

Policy H2 states that proposals for the conversion of residential or other properties to self-contained accommodation will be permitted subject of certain criteria, including:

- (i) adequate car parking being provided;
- (ii) no reduction in the privacy or amenities of future occupiers or nearby residents;
- (iii) no significant adverse impact on the character of the area;
- (iv) provision of appropriate amenity space;
- (v) design and environment policies not compromised;
- (vi) adequate noise insulation being provided.

AND,

- iv) USES MATERIALS WHICH COMPLEMENT THE STREET SCENE.

The FCA is attached showing adherence to the policy.

Relevant responses to policy;

The Carparking meets the criteria set in manual for streets and as stated there's a separate assessment attached.

There is no adverse impact on neighbouring property, nor will there be any overlooking of any property.

The proposal to maintain the frontages on the GF Façade and enhance the existing features with minor modifications for accessible access only.

The units will be above the standards set in the SPG for apartments and bedsits.

The renovations will match the existing materials, Clay Brick façade and slate roof, with windows to match the existing patterns.

The development because of its nature will be subject to a financial assessment before CIL is applied as the cost of renovation and improvements for such a substantial, defective building need to be taken into account in the CIL assessment.

Rarely for City Centre sites, there is an element of external amenity which abuts Council Open Space allowing for an area for child play and relaxation. The site will also have use of the internal amenity space associated with the Ground Floor, as this will not be operated a public house. So groups or tenants can arrange for indoor play, nursery, or general activity.

The application is accompanied by a FCA which confirms that the site and building are suitable for conversion in accordance with the plans. The residential areas are first floor and there is suitable refuge areas above 0.05% flood events.

5.0 COMMUNITY SAFETY

The works will be covered by **CDM 2007**. A principle contractor will be appointed. He will be liable for Health and Safety on site. Deliveries will be stored at the rear of the building and within the building.

The building's frontage works will require scaffolding; a license will be applied for and all necessary high visibility attachments will remain in place for the duration of the scaffolding being in position.

Having the building brought back to use will enhance the busy feel of the area, which will in turn reduce the likelihood of anti-social behaviour.

6.0 ENVIRONMENT SUSTAINABILITY

The application is to provide 5 apartments and 2 bedsits within an existing building in a City Centre location. This recycling of existing facilities is the most environmental use of building possible.

The proposed dwelling will meet with the current building regulations, which have strict standards regarding thermal insulation. The replacement windows will have an increased u value, which will in turn improve the buildings heating efficiency. The water flow rates for the water using appliances will all be carefully considered, so as to conform to the 125 litres per day guidelines.

Newport City Council's approved LDP policy states that such development should be served by public transport and other amenities. This site lies in the centre of the City, near all services and public transport.

7.0 REDUCED ENERGY USE

- The project will use materials with good u value ratings and reduce carbon emissions by using low energy appliances, and high efficiency boilers.
- Low flow taps (aerated) will be installed and low volume fittings used throughout.
- Showers will be available in all bathrooms to reduce water use of baths.
- The water heating system will be high efficiency Combi-boiler to prevent the storage and heat loss of hot water.
- The building will be insulated to a high standard throughout to ensure low u values and to minimise heat loss and cold penetration.
- Twin flush toilet system

8.0 ECONOMIC IMPACT

The proposal aims to provide a long term economically sustainable use for a redundant site. The proposal will not only add to the available residential accommodation but will also provide direct customers for local amenities. In addition, the proposal will indirectly support local ancillary businesses such as shops, post offices, local taxi firms, local pubs and restaurants.

The new developer has a waiting list of tenants awaiting completion, such is the shortage of housing in Newport, and any pace that can be applied would allow them the to live in the new homes a little sooner.

9.0 DESIGN SOLUTIONS

Biodiversity and local environment – This site offers little chance to enhance bio diversity due to its condition and position, but in the wider picture it provides homes without resorting to out of town development. The building also contains a bike storage area which will make bike usage more attractive to the tenants thereby reducing the reliance on cars. The grassed area to the rear will be maintained and the debris removed making it a better area for bio diversity and humans.

Biodiversity elements such as bat and bird boxes will be added to the building. A bat scoping survey has been undertaken, and no work will be undertaken to ant roof voids, there is no extension involved in the current application.

10.0 MOVEMENT AND ACCESS STATEMENT

The property is located in an area of the City Centre which has high demand for parking spaces; as well as on site parking for both the apartments and the community areas there is pay and display parking. There will not be a need for delivery vehicle parking as the public house will no longer function.

The occupiers of the flats will be allocated parking spaces. Cycling storage and its position adjacent to a national cycle route will encourage such use.

The site is located in the centre of the city, near to the bus route(40,41) to the bus station and train station. There are numerous places of work within the city centre and others easily accessible by means of public transport. There are nearby shops that are open all hours. The flats are spacious one bedroom accommodation and bedsits, these aren't designated as family homes and as such, there is not a need to locate near schools etc.

Pedestrian Access –

The site is located within the heart of Newport City Centre. There are well lit pavements.

11.0 REVIEW PROCESS

The proposed apartments are above to minimum room sizes laid out in the SPG – Flat Conversions and Houses in Multiple Occupation.

The proposal, by virtue of its community use on the ground floor, and residential use on the two upper floor; apartments will maximise the likelihood of creating a viable long term future for this vacant building.

The proposals to renovate the frontage will create not only a considerable improvement to the area as a whole but will lead to the full refurbishment of the building.

The reasons for refusal have been shown to be no longer applicable

The authority are invited to approve this application and apply conditions as they see fit.

Appendix 1.

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2 March 2024

This parking assessment has been prepared to support the application of change of use from A3 with residential above to apartments and bedsits to dwellings at the former West of England public house site. The existing combined space on the first and second floor is 422m² entertainment/events which requires 85 parking spaces as per the Newport Parking Standards SPG (1 space per 3m²) and 6 rooms for letting or management 1 space per room another 6. (total 95 spaces)

The proposed change of use will create x 2 no. studio apartments, and 5 no. 1 bed flats. This will require the need for 8 parking spaces (1 per bedroom + 1 per 5 units for visitors)

The reduction of working space to

The proposal will also be creating 6 internal bike spaces for use by the residents to encourage car free travel.

Sustainability criteria		
Local facilities	Distance (meters)	Points
Foodstore	90	3
Post Office	90	3
Health care facility	900	2
School	580	1

Public Transport		
Bus stop	90m	2
Cycle Route	50m	1
Frequency		3
	Total	13
	Reduction	2
	Required spaces	6

Using the sustainability criteria the outcome is that the same number of spaces are required for the first and second floor as the original arrangement.

This would mean that the remaining spaces were available for the Public House and function rooms. Given this space has now been reduced from 250 m² to less than 100 m². This reduction in area means a similar reduction in parking requirement.

The site also has public car parks immediately adjacent providing 37 spaces, and considerable on street parking should it be required.