

PLANNING COMMITTEE	DATE: 22/11/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 5

Application Number: C21/0398/14/LL

Date Registered: 29/04/2021

Application Type: Full

Community: Caernarfon

Ward: Menai

Proposal: Change of use of building to mixed use with shops on the ground floor and create 6 self-contained holiday units on the upper floors

Location: Former Caernarfon Conservative Club Site, 1 Market Street, Caernarfon, Gwynedd LL55 1RT

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

- 1.1 Full application for the change of use of the former social club building into mixed use shop/office on the ground floor and create 6 self-contained holiday units on the upper floors. It is proposed to divide the ground floor space into one shop with a storage room, kitchen and toilet for staff. The other section would be an office, with a kitchen and toilet. It is proposed to create two new entrances for the two new units. The main entrance will continue as an entrance to the units and also a bin and recycling area on the ground floor behind the stairs.
- 1.2 On the first floor it is proposed to have access to two units (units 5 and 6) where there will be a kitchen and open living room, two bedrooms and a bathroom. There will also be a storage area on this floor. On the second floor there will be a corridor with access to units 1, 2, 3 and 4 where there will be a kitchen and living room, toilet / bathroom and then stairs leading up to the units. There will be bathrooms and bedrooms on the 3rd floor, where a new floor will have to be installed.
- 1.3 Externally, and on the eastern elevation it is proposed to create a new access to the office on the ground floor. The same openings would be retained, however, the double doors would be installed within the central arch. It is also proposed to install 5 new rooflights on this elevation and to renew the existing windows. It is also proposed to create a new entrance on the southern elevation to the new shop and there will be double doors in keeping with the western elevation and the existing windows will be restored. The only adaptations on the rear of the building will be 3 new rooflights.
- 1.4 The proposed development site is located within the development boundaries of the town of Caernarfon, which has been designated in the Local Development Plan as an Urban Service Centre. Its last use was as a social club, however, it has stood empty for some time and is deteriorating. The site is located on the High Street and is surrounded by a mix of public houses, restaurants, hotels and residential dwellings in every direction. The site is within the town's historic walls which are also part of the World Heritage Site, the Conservation Area and the building is also grade II listed.
- 1.5 The following documents/assessments have been submitted as part of the application:
- Language Statement
 - Design and Access Statement
 - Wildlife Survey
 - Business plan

- 1.6 The application is submitted to Committee as the proposal is for 5 or more living units.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to

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ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**

PS1 - The Welsh Language and Culture

TRA 2 – Parking standards

TRA 4 – Managing transport impacts

PS 5 - Sustainable Developments

PS 6 – Mitigating the Effects of Climate Change and Adapting to Them

PCYFF 2 – Development criteria

PCYFF 3 - Design and place shaping

PCYFF 4 - Design and landscaping

PS14 - The visitors' economy

TWR 2 - Holiday Accommodation

PS15 - Town centre and retail developments

MAN 3 - Retailing outside Defined Town Centres and within Development Boundaries

PS20 - Preserving and, where appropriate, enhancing heritage assets

AT 1 - Conservation Areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens.

Supplementary Planning Guidance – Tourist Facilities and Accommodation (March 2021)

2.4 **National Policies:**

Planning Policy Wales (Edition 11, 2021)

Technical Advice Note (TAN) 12: Design 2009

3. **Relevant Planning History:**

3.1 C09A/0108/14/LL Alterations to create shops on the ground floor and residential units on the first and second floors - approved 29-1-2010

C09A/0109/14/CR Alterations to create shops on the ground floor and residential units on the first and second floors - approved 15-3-2010

C16/0184/14/CR Building renovation work to include internal work and create a new floor, external work to include the installation of new rooflights, re-open and create new openings on the gable and rear of the building and installation of new double glazing units - The application was withdrawn.

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4. Consultations:

Community/Town Council: There is no need for more holiday homes in this part of the town. We need places for people to live. Object on the grounds that the holiday element would be a type of over development in the area. Also, there is a lack of parking spaces in the streets opposite and an insufficient attempt has been made in the application to mitigate the impact of cars for another six units on the street.

Transportation Unit: No objection from the Highways Unit. Ideally, parking should be provided for each individual holiday unit, however, this is not possible at this location. The building is located within the old Caernarfon walls, on a street that is controlled by parking restrictions, and in a location where the vast majority of the houses and businesses do not have any off street parking provision.

The location is central within the town, is convenient to be reached by other modes of travel such as a bicycle or bus, and is within reasonable walking distance to several car parks including Penllyn, Cei Llechi, Tan y Bont, Ffordd y Felin and Glan Môr Uchaf, all within 300m from the site.

The only difference is that the side street (Market Street) includes a few parking spaces, but I understand that it is proposed to consider changes to the restrictions to limit parking to local residents. In addition, another consideration is the shop/business element that may attract regular deliveries, however, these are small area units and therefore I assume that they are unlikely to attract much commercial traffic.

No objection to the proposal and no conditions to propose.

Natural Resources Wales: No objection, standard advice.

Welsh Water: Standard condition

Cadw (within 500m to a scheduled monument): The application area is located inside 500m of the scheduled monuments identified above and in the essential setting of the World Heritage Site: However, the proposed external changes required for the change of use will be restricted to a new raised access, into the

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ground floor retail units along with the adaption of the current fenestration in the ground floor archways, so that it is more suitable for retail purposes and the addition of several heritage style rooflights and a roof light well on the roof. These changes will be visible from the scheduled monuments but will be seen as part of the existing structure and along with the other buildings and roofs of the town. As such whilst these changes will constitute a very slight visual change in the views they will not have any effect on the way that the scheduled monuments and the World Heritage Site are experienced, understood and appreciated. Consequently, the proposed development will have no impact on the settings of scheduled monument or the Outstanding Universal Values of the World Heritage Site.

Gwynedd Archaeological
Planning Service:

Propose a standard condition to undertake archaeological records prior to commencing any work on the site

Biodiversity Unit:

Thank you for consulting with us on this application. I agree with the mitigation measures/measures to enhance biodiversity noted in the Preliminary Protected Species Assessment provided (section 8 of the report).

Bats: Requires a bats surveillance condition. Work must be suspended if protected species are found and Natural Resources Wales must be informed.

Birds: "It is recommended that 2 swift nest boxes are mounted under the eaves of the rear elevation on the completion of the proposed works."

These need to be imposed as conditions. No objection.

Public Consultation:

A notice was posted on site and in the press, and nearby residents were informed. The advertisement period has expired and one item of correspondence was received expressing concern on the following grounds:

- Concern due to lack of street parking and the proposal would exacerbate the problem.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The principle of the proposal should be assessed against policy TWR 2: Holiday Accommodation in the Local Development Plan. Policy TWR 2 permits proposals that involve the provision of self-

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serviced holiday accommodation provided the proposal complies with a series of criteria included in the policy, namely:

- i. *In the case of new build accommodation, that the development is located within a development boundary, or makes use of a suitable previously developed site;*
 - ii. *That the proposed development is appropriate in scale considering the site, location and/or settlement in question;*
 - iii. *That the proposal will not result in a loss of permanent housing stock;*
 - iv. *That the development is not sited within a primarily residential area or does not significantly harm the residential character of an area;*
 - v. *The development does not lead to an over-concentration of such accommodation."*
- 5.2 In terms of the above criteria, the building already exists, and is not a new building. It is also considered that the scale of the development is appropriate by using the existing building, and also as the building is a former social club it will not lead to a loss in housing stock.

5.3 The proposal also involves creating a shop and office on the site's ground floor, which is currently an open space. Policy MAN 3 is relevant as it deals with retailing outside defined town centres and within development boundaries. This site is located outside the town centre development boundary, however, the boundary is opposite this site, and it is also within the development boundary. Section 6.3.106 states that the Councils will support proposals for new small scale shops within development boundaries. Small scale is taken to be less than 200 sq.m. In this case, the floor area of the retail element is 97 sq.m, and is defined as A1 (Shop) use, that comes under the definition of small in accordance with the requirements of the relevant policy in this case.

Excess

5.4. After establishing whether or not the principle of the proposal is acceptable in terms of construction, consideration should be given to the compliance of the proposal with criterion 'v' of Policy TWR 2 which notes as follows:-

- v. *That the development does not lead to an over-concentration of such accommodation within the area."*

5.5 When considering criterion v, it should be ensured that a Business Plan is submitted as part of the application to include the necessary information in terms of the vision for the proposal and to ensure there is a market for this type of use (paragraph 6.3.67 of the Joint LDP). In addition, consideration should also be given to the existing provision of holiday accommodation within the local area. A Business Plan has been submitted with the application.

5.6 Furthermore, the Supplementary Planning Guidance: Tourist Facilities and Accommodation (March 2021) notes that a high number of holiday accommodation or a concentration of holiday accommodation in a specific area can have a detrimental impact on the social fabric of those communities. Section 4.6 of the guidance seeks to define excess and paragraph 4.6.5 states:

"In assessing whether or not there is an over-provision of holiday accommodation, the following should be considered:-

- Whether or not there is an even distribution of holiday accommodation across the area - A provision of holiday accommodation that has been distributed evenly across the area is a way of ensuring that

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it does not lead to pockets of empty properties during the winter and ensures that excess pressure is not applied on local services and infrastructure at the peak of the season;

- Sociocultural impact - If holiday accommodation permeates into a traditionally residential area it can lead to a change in people's values and behaviour, and consequently, lead to them losing their cultural identity.
- Impact on the amenities of local residents, e.g. complaints regarding noise, disturbance, increase in traffic etc.
- Lack of community facilities and services - Local businesses providing for the needs of visitors more than the needs of local residents and only opening on a seasonal basis.
- Pressure on local infrastructure - The capability and capacity of local infrastructure to cope at the peak of the season.
- Quantity of holiday accommodation - Favourable consideration will not be given to applications for self-serviced holiday accommodation when the existing combination of holiday accommodation and second homes within the Community/Town/City Council area is higher than 15%. Council Tax information should be used as the information source in order to find this information. Exceptions may arise, where it is considered that there is a high level (more than 15%) of holiday accommodation in a particular settlement/area within a Community/Town/City Council. In such circumstances, consideration may need to be given to provision beyond the Community/Town/City Council level."

- 5.7 The most recent information on council tax figures from Gwynedd Council, note that a combination of holiday accommodation and second homes in Caernarfon Town Council is 1.31% and is therefore under the threshold noted in the guidance.

In this case it is considered that the proposal is acceptable for approval in principle.

Visual amenities

- 5.8 Policy PCYFF3 states that proposals, including extensions and alterations to existing buildings and structures, will be permitted provided they conform to a number of criteria including that the proposal complements or enhances the character of the site, the building or the area in terms of siting, appearance, scale, height, massing and elevation treatment; that it respects the context of the site and its place within the local landscape; that it uses materials that are appropriate to their surroundings and incorporates soft landscaping; that it enhances a safe and integrated transport and communications network; that it limits surface water run-off and flood risk and prevents pollution; that it achieves an inclusive design that allows access for all and helps to create healthy and vibrant environments taking into account the health and well-being of future users.
- 5.9 The proposal involves the conversion of a former club into holiday units, situated in the town centre with several nearby neighbours and it is also a conservation area and a World Heritage Site. The proposal does not involve any significant alterations to the building externally, apart from new doors and new rooflights. The alterations to the building is work that will improve the appearance of the building which has been in a poor condition for some time and has significantly deteriorated. It is not believed that the proposal would affect the area's visual amenities and the improvements to the listed building, World Heritage Site and the conservation area meet with the requirements of policy PCYFF 3 and AMG 1 of the LDP.

General and residential amenities

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- 5.10 The building is located in a central location on the High Street with a mix of residential dwellings, public houses and shops. There is no intention to create new openings within the building where there could be any element of overlooking or privacy matters. It should also be borne in mind that the building's last use was as a social club where there was a great deal of coming and going, and therefore this would be much less in the case of holiday units, but of course it is inevitable that there will be a certain element of coming and going as the property has been empty for so long. It would mainly be restoration work externally on the building, with minor alterations to the doors on the ground floor and installation of new rooflights to light up the high rooms. It is considered that the details are acceptable and conform to the requirements of policy PCYFF 2 of the LDP.

The impact of the development on the setting and character of the Listed Building

- 5.11 Paragraph 5.13 of Technical Advice Note (TAN) 24: The Historic Environment, states that Local Planning Authorities should consider the following matters:

- The importance and grade of the building and its intrinsic architectural or historic interest
- The physical features of the building which justify its listing and contribute to its significance, including any features of importance such as the interior, which may have come to light after the building's inclusion on the list
- The contribution of curtilage and setting to the significance of the building, as well as its contribution to its local scene
- The impact of the proposed works on the significance of the building
- The extent to which the proposed works would bring substantial community benefits for example, by contributing to the area's economy or the enhancement of its local environment

- 5.12 Since no original features remain within the building, there is not much historical fabric to lose by converting the building, apart from the windows as noted above. The Ancient Monuments Society and the Victorian Group reflect this in their observations, with a lack of detail within the application. However, the building has seen so many changes over time, and no features remain. The Victorian Group have also stated concern regarding how the new floor and the second floor would have an impact on the existing windows, as the floor would go across the windows. The plans have changed following the observations and discussions and the floor would slope away from the window, to reduce the visual impact. It will also be possible to place a screen or film on the windows in a dark colour so as to prevent seeing the floor. It is felt that this is fair, however, bearing in mind also the size and significant height of the building it is not believed that this would be very obvious from street level.

- 5.13 It is felt that the work would be a significant improvement in restoring a building that is very striking within the streetscape and also within the town's walls. In this case it is considered that the work would be a significant improvement and would meet with the requirements of policy PS 20 and the policies noted above.

Archaeological matters

- 5.14 Policy PS 20 as the above refers to safeguarding and preserving and where appropriate enhancing heritage assets, this also includes archaeological matters. Even if there are not many noteworthy features remaining within the building, the archaeological service has asked for a condition to create a photographic record prior to the commencement of the work and this is reasonable in this case, if any features are discovered when undertaking the work. This is a fair compromise and it is felt that the above meets with the requirements of the relevant policies.

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Transport and access matters

- 5.15 The site is in the town centre and there is no parking provision with the proposal. The Transportation Unit has no objection to the proposal due to its location within the town where there are already parking restrictions on the streets and also there are car parks around the site and public transport that includes frequent bus provision as well as the Welsh Highland Railway within the Town. Another consideration is the shop/business element that may attract regular deliveries. However, these are small area units of a residential nature and therefore I assume that they are unlikely to attract much commercial traffic. On this basis, it is, therefore, considered that the proposal complies with the relevant requirements of policies TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.16 The Biodiversity Unit and Natural Resources Wales agree with the requirements of the wildlife report and ask for Biodiversity improvements by installing bird boxes on the building as well as surveillance in case bats are present in the building. To this end, it is believed that it would be acceptable to impose a condition to deal with the location as the building is listed, installation on the front of the building would not be suitable, however, the rear of the property might be acceptable. With conditions, it is considered that the proposal complies with the requirements of Policy AMG 5 of the LDP.

The Welsh Language

- 5.17 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para 3.28 of Planning Policy Wales (Edition 11), along with Technical Advice Note 20.
- 5.18 Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.19 It is noted that there are some specific types of developments where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. The proposed development does not reach these thresholds.
- 5.20 The applicant has provided information in the business plan that notes the intention to run the business with local Welsh people, to be provided via marketing, running and also maintaining the site. Criteria 4 and 5 also refer to using bilingual signs on the site as well as Welsh names. Relevant conditions can be attached to the application to meet with these criteria. It is considered that the above meets with policy requirements and has also fully considered how the proposal will affect the Welsh language in accordance with the requirements of Policy PS 1 of the LDP.

6. Conclusions:

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6.1 In accordance with the above assessment, it is not believed that any matter raised is contrary to the requirements of the relevant policies and it is considered that the proposal meets with the requirements of the policies noted above and is acceptable for approval.

7. Recommendation:

7.1 To approve – conditions

1 - The development to which this permission relates shall be commenced not later than FIVE years from the date of this permission.

2 - The development hereby permitted shall be carried out in strict conformity with the details shown on plan(s) number D794.06P2, D794.07P2, D794.08P2, D794.09P2, D794.10P2, D794.11P2, D794.12P2, D794.13P2, D794.14P2, D794.15P2, D794.16P2, D794.17P1, D794.18P1, D794.19P1 and D794.20P1 submitted to the Local Planning Authority, and contained on the application form and in any other documents accompanying such application unless condition(s) to amend them is/are included on this planning decision notice.

3 - The holiday units will be used for holiday purposes only and they will not be occupied as the sole or main residence of an individual. The owners/operators of the units will keep a register, an up-to-date record of all the names of owners/occupiers of the units on the site and the addresses of their main residences and they will ensure that the information is available at all reasonable times to the Local Planning Authority.

4 - No development (including structural adaptations or demolition work) should be undertaken without the submission of the archaeological record programme and prior approval in writing by the Local Planning Authority. The development and all the archaeological work should be undertaken in complete accordance with the permitted details.

5 - A detailed report on the archaeology work will need to be submitted, in accordance with condition (a), to be agreed in writing by the Local Planning Authority within six months of completing the archaeology work.

6 - No surface water due to an increase in the roof area of the building and / or impermeable surfaces within its curtilage shall be allowed to connect directly or indirectly to the public sewerage system.

7 - Any windows replaced on the original building shall be painted timber framed windows with single glazing and of a style and type to match the existing windows. The original glazing should be re-used, if possible.

8 - Details of the secondary glazing shall be submitted, if it is proposed to be installed, to the Local Planning Authority for written approval prior to installation.

9 - Rooflights shall be of a conservation type and installed level with the roof

10 - Prior to the commencement of any work in relation to this proposal, details for installing swift nest boxes on the proposed building must be submitted and approved in writing by the Local Planning Authority and provided on the site in accordance with the details agreed upon.

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- 11 - Any signage advertising and promoting the development within and outside the site shall be in Welsh or bilingual with priority given to the Welsh language.