

ET Planning

Planning, Design and Access Statement

Client:

Estama (UK)

Unit 32,

Cwrt-Y-Castell, Caerphilly, CF83 1NU

Change of use from bank to restaurant.

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1. Introduction

1.1 This statement is produced to support a planning application for the change of use from a bank to a restaurant at 32 Cwrt-Y-Castell, Caerphilly, CF83 1NU.

1.2 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.

1.3 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and the following documents prepared by SEAM Architects and ACA Acoustics:

Location Plan

Proposed Ground Floor Plan

Proposed 1st Flood Plan

1.4 The relevant application fee will be submitted by the applicant separately.

2. Site Location and Description

- 2.1 Castle Court Shopping Centre is a principal shopping district within the town centre, comprising of 32 units, primarily A1 use, with a mix of some A3 units.
- 2.2 The site, fronting a four-way road junction to the immediate west, comprises a two storey building most recently used under Use Class A2 (financial services), as a bank. The current tenants of the building are due to vacate the property in November 2023, with no new tenant currently contracted to occupy the unit following this.
- 2.3 The site is neighboured by Unit 31 which previously was home to the retailer Carphone Warehouse and is now being used as an ice cream parlour, as well as Unit 30 being used as a Class A3 food and drinks shop.
- 2.4 In terms of the wider surrounding area, to the west is Caerphilly Castle, Energlyn and Churchill Park train station to the north, Wern-Ddu Caerphilly woods to the east and Caerphilly train station to the south.

3. Planning History

- 3.1 5/5/95/0569 - Erect shop fascia signs – Granted – 17.10.95
- 3.2 5/5/95/0606 - Construct new shop frontage – Granted – 24.11.95
- 3.3 P/96/0715 - Install ATM through shop front – Granted – 20.12.96
- 3.4 P/00/0588 - Erect fascia signs – Granted – 09.09.00
- 3.5 P/00/0589 - Install new atm and two condenser units – Granted – 08.09.00
- 3.6 P/03/0302 - Display an advertisement – Granted – 30.04.03
- 3.7 13/0731/ADV - Erect 3 no. 530 mm high illuminated fascia signage, 1 no. illuminated ATM collar and 1 no. internal marketing unit – Granted – 20.11.13

4. Development Proposals

- 4.1 **Use and Amount:** The proposed development is for the change of use of the existing building from Class A2 (Financial Services) to Class A3 (Food and Drink).
- 4.2 **Layout and Scale:** The proposed development will take place within the existing built form of the property.
- 4.3 **Scale Height & Mass:** No change to the existing proposed.
- 4.4 **Landscaping:** No soft landscaping is in place due to the site's town centre location and absence of building curtilage.
- 4.5 **Appearance:** No external changes are proposed as part of the development.
- 4.6 **Access & Parking:** Parking is not provided on site but is facilitated by the existing parking and access arrangements serving the wider town centre. A communal service yard is located to the rear (east).

5. Policy Assessment

5.1 Principle of Development (including affordable housing):

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance the relevant development plan documents includes:

Planning Policy Wales (Edition 11) (February 2021) (PPW)

Future Wales – The National Plan (2040) (FW)

Caerphilly County Borough Local Development Plan up to 2021 (2010) (CLP)

5.2 The site is located within the defined principal town centre boundary. CLP Policy CM1 outlines how such locations play a multi-functional role in the delivery of services to the public within their catchment area. In line with this, the proposed development would add further variety to the town centre, contributing to the vibrancy of the area.

5.3 Further to this, the site is also located within a primary retail centre as outlined by CLP Policy CM3, the site itself is located within the Castle Court retail area.

5.4 The policy states outlines how a protection balance between the need to ensure vibrancy and flexibility is set by the Council with a focus on protecting A1 units within the centre. Further discussion of this in relation to CLP Policy CW14 is detailed below.

5.5 As noted above, the site is located within the principal town centre boundary, and the unit itself is in A2 use, with this application seeking change of use to A3. CLP Policy CW14 provides a number of protections to A1 units within this area. However, as the proposed

development does not involve an A1 use (either existing or proposed), there is no impact upon the retention or protection of A1 units involved in this proposal. As a consequence, CLP Policy CW14 does not have direct relevance to this proposal.

- 5.6 Both A2 and A3 units are common features within a town centre location, both of which contribute to its vitality and long-term vitality. Furthermore, the Development Plan does not contain any direct provisions to resist the loss of A2 units. As a consequence, the proposal would be considered to fully complement the function of the town centre.
- 5.7 Furthermore, following the vacancy of the unit by the current tenants, scheduled for November 2023, the unit would otherwise be left vacant. This is a significantly visually prominent unit within the southern section of the town centre, fronting a four-way highway junction. Allowing it to remain vacant for a significant period would therefore have significant detriment to the area, both in terms of vitality as well as visually.
- 5.8 Potential occupants operating restaurant uses have shown interest in occupying this unit, particularly given its prominent location and its size, hence the proposed development.
- 5.9 As such, the principle of development is considered acceptable.
- 5.10 **Sustainable Development:** PPW defines sustainable development as the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals. In line with this definition the proposed development will contribute to the local area in line with this definition. The proposal will create jobs both during the refurbishment process and during its operation.

- 5.11 Socially, through the provision of jobs, the proposal will give individuals a feeling of self-worth and enable them to have a career; a key pillar of social mobility.
- 5.12 In environmental terms, the proposed development utilises an existing building, helping to preserve natural resources involved in the erection of new buildings and the associated inputs to these processes.
- 5.13 Lastly, the long-term vacancy of the site would undermine each of the above sustainability objectives.
- 5.14 **Character and Appearance of the Area:** As detailed elsewhere in this statement, the proposal does not propose any alterations to the external appearance of the property and so the impact of the proposal on character of the area is considered to be neutral.
- 5.15 Attention is also directed to paragraph 5.6 of the statement above, regarding the detriment to the character of the area in terms of long-term vacancy.
- 5.16 **Residential Amenity – Impact on prospective occupiers:** The proposed development is considered to have a positive impact on the amenity of prospective occupiers. The development will constitute a high quality work space which will enable efficient and effective working. Breakout spaces such as the staff room will be designed to a good quality, providing appropriate relaxation space during breaks.
- 5.17 **Residential Amenity – Impact on Prospective Neighbours:** When considering the impact of the proposal on neighbouring amenity, it is important to consider CLP Policy CW3: Amenity. This states that when considering amenity, development proposals must have no unacceptable impact on the amenity of neighbouring land uses and must not result in over-development of the site.

- 5.18 The site is located within a busy shopping centre where the level of amenity impact is naturally higher than other areas such as residential streets. There are a number of businesses that operate within Castle Court Shopping Centre and generate increased levels of noise.
- 5.19 An Acoustic Report by ACA Acoustics is submitted in support of this application. Whilst the exact equipment specifications are not yet available, details of which can be secured via condition in the event of a grant of planning permission, the assessment itself has utilised the maximum permissible sound levels from plant machinery.
- 5.20 The proposed assessment will achieve a “low” impact on the nearest residential properties and is therefore not considered to harmfully impact the nearby noise-sensitive occupants. Notwithstanding this, it is reasonable to state that any residential properties close to the site would likely be subject to higher-than-usual noise levels in terms of existing arrangements, due to the nature of the surrounding environment in which they are located i.e. within a town centre.
- 5.21 The proposed unit will operate from 08:00 to 00:00 Monday – Sunday. The Acoustic Assessment provided therefore confirms that this proposed usage would be acceptable given the low impacts. It is agreeable that conditional control in terms of equipment specifications and noise generation be applied.
- 5.22 The proposal will not result in additional built form coming forward with the proposal intending to use the existing property and as such, will have generate additional overshadowing, overlooking etc.
- 5.23 **Trees and Landscaping:** Due to the nature of the site and considering its location, extensive tree or landscaping is not possible.

- 5.24 **Transport and Parking:** CLP Policy CW3: Design considerations: highways sets out the highways requirements for new development. As outlined above, the proposal itself does not have dedicated parking. However, public car parking serves the wider town centre and this is considered acceptable.
- 5.25 An existing communal service yard would serve the proposal, as per existing arrangements to the current use.
- 5.26 **Cycle Provision:** Cycle storage is not provided on site but communal cycle storage is available in the wider shopping centre.
- 5.27 **Refuse Provision:** Dedicated waste and recycling spaces will be provided internally and externally as part of the proposal. The location and specification of the bin store can be secured via condition in the event of a grant of planning permission.
- 5.28 **Drainage and SuDS:** The flood risk of this property is currently listed as 'under review' on the Natural Resources Wales website. Notwithstanding this, the proposed development is not considered to have any additional impact in drainage terms compared to the existing situation. This is therefore considered acceptable.
- 5.29 **Contamination:** The site is not known to be contaminated and this is unlikely due to the wider retail use of the surrounding area. The change of use will not involve the breaking of ground and so this is considered acceptable.
- 5.30 **Listed Buildings:** Caerphilly Castle and a War Memorial dedicated to the World War 1 are located to the west of the site, these are Grade I and Grade II Listed respectively. The proposed development would not result in any additional built form and as such, is not considered to have a harmful impact on the setting or fabric of the listed building.

- 5.31 **Archaeology:** The site is not known to lie an area of archaeological potential. Due to the nature of the change of use application, it is not considered that this is a relevant consideration in the determination of this application.
- 5.32 **Ecology:** The proposed change of use is unlikely to impact ecological matters due to the nature of the application which seeks to utilise the existing built form and not expand into the roof space of the unit.
- 5.33 **Community Infrastructure Levy:** The relevant forms have been submitted alongside this application. As the proposal does not involve the creation of any additional floorspace, it is not CIL liable.

6. Conclusion

- 6.1 This statement has demonstrated that the proposed development is acceptable in principle and makes an efficient use of land.
- 6.2 Material planning considerations have been carefully considered and analysed, as evidenced in section 5 of this statement and the supporting plans and documents. It is considered the proposed development would comply with countryside policies and contribute to the Borough's overall supply of affordable housing without adverse effect on the character of the area or the amenity of neighbouring residents.
- 6.3 It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National Guidance. Therefore, it is respectfully requested that planning permission is granted.

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