

Proposal: Proposed conversion, extension and mansard roof extension of the property to form 21 residential units with onsite cycle and vehicular parking, refuse and amenity facilities

Address: Newbridge House, Tudor Street, Abergavenny, NP7 5DH

RECOMMENDATION: REFUSE

1.0 APPLICATION DETAILS

1.1 This application was previously before Members at the Planning Committee at the meeting of 3rd September 2019. At this meeting, Members agreed to officers' request to defer the application in order to allow officers to review the recommendation. This was in response to information received by the Department for Works & Pension (DWP) on Monday 2nd September. The DWP confirmed that contrary to what officers had believed, a new 10-year lease was signed on the entire building in December 2017, and covers the period from 2nd April 2018 to 1st April 2028. There is a tenant only break option at 31st March 2023.

1.2 Accordingly Officers have reviewed the original recommendation to approve and in particular the proposal's compliance with Policy *E1 Protection of Existing Employment Land*. Of significant note are criteria (a) and (c) which for the sake of clarity are detailed below:

- a) *the site or premises is no longer suitable or well-located for employment use;*
- c) *there is no viable industrial or business employment use for the site or premises;*

1.3 In a correction to the original officer report, the existing ground floor office space is still occupied by the Job Centre and it is only the upper floors that remain unoccupied. However, it is the fact the building is now subject to a new long term commitment by DWP to an employment use that is the basis for the change in recommendation. In light of the new information that provides an accurate and up to date position for the building, it is considered that the signing of this lease confirms that the building is suitable and well-located for employment use, and crucially there is a viable business use for the site. It is acknowledged that the lease, which is a private contract between interested parties, could be broken through a number of legal routes however this does not override the fact the signing of the lease clearly demonstrates the proposal now fails to comply with criteria (a) and (c) of Policy E1.

1.4 Whilst Policy E1 does offer two exceptions where primary criteria (a) to (e) are not fully met, the proposal is not for either small scale retail uses which are ancillary to the main business or small scale service activities of an industrial nature which are not suited to the high street.

1.5 In conclusion the proposal is not considered to comply with the requirements of Policy E1 and would therefore fail to protect existing employment land from alternative developments. It is therefore recommended that the application be refused for the reason set out below.

Reason for Refusal:

The proposal would result in the loss of an existing business employment site that is still suitable and well-located for employment use and that still has a viable business employment use for the site. The proposal would therefore fail to protect existing employment land from alternative developments contrary to Policy E1 criteria (a) and (c) of the adopted Local Development Plan.

PREVIOUS REPORT OVERLEAF

Application**Number:** DC/2016/01342**Proposal:** Proposed conversion, extension and mansard roof extension of the property to form 21 residential units with onsite cycle and vehicular parking, refuse and amenity facilities.**Address:** Newbridge House Tudor Street Abergavenny Monmouthshire NP7 5DH**Applicant:** Mr S Karim**Plans:** Floor Plans - Proposed AL(00)10 - E, Floor Plans - Proposed AL(00)13 - C, Floor Plans - Proposed AL(00)11 - D, Floor Plans - Proposed AL(00)12 - D, Elevations - Proposed AL(00)14 - E, Site Plan AL(90)10 - C, Location Plan AL(00)01 - , Site Plan AL(00)02 - , Floor Plans - Existing AL(00)03 - , Floor Plans - Existing AL(00)04 - , Floor Plans - Existing AL(00)05 - , Elevations - Existing AL(00)06 - ,**RECOMMENDATION: APPROVE**Case Officer: Mr Andrew Jones
Date Valid: 05.12.2016**This application is presented to Planning Committee due objections having been received from at least five separate households as well as an objection from a statutory consultee, MCC Highways****1.0 APPLICATION DETAILS**

1.1 The application relates to the former Jobcentre Plus building, known as Newbridge House, which is a three storey building located at the junction of Tudor Street and Baker Street in the centre of the town of Abergavenny. The building has been vacant for several years, it is unlisted although it does sit within the Abergavenny Conservation Area (CA) as designated by Policy HE1 of the adopted Local Development Plan (LDP). The building is set in an elevated position above Tudor Street which is accessed via steps across a small grassed area along the frontage. An existing car parking area is located to the rear which is accessed via the site's sole vehicular entrance off Baker Street. The building itself is flat roofed and is finished with red brick; it features three bands of windows along its southern and eastern elevations.

1.2 Full planning permission is sought for the conversion of the building into residential use comprising 15 two bed flats and 6 single bed flats. It is proposed to add an additional storey to the building that would be recessed from the edge. The proposal has been subject to re-design following negotiation between the applicant and the Local Planning Authority (LPA), which included consideration by the Design Commission for Wales (DCfW) Review Panel. The amended plans have sought to introduce a clear vertical emphasis to the proposal and would include sections of coloured render, hung slate and metal cladding. Additional soft landscaping, including trees and hedgerow, would be provided across the site.

2.0 RELEVANT PLANNING HISTORY (if any)

None

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S4 LDP Affordable Housing Provision
S8 LDP Enterprise and Economy
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design
S9 LDP Employment Sites Provision

Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements
E1 LDP Protection of Existing Employment
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
MV1 LDP Proposed Developments and Highway Considerations
DES1 LDP General Design Considerations
HE1 LDP Development in Conservation Areas

4.0 NATIONAL PLANNING POLICY

Planning Policy Wales (PPW) Edition 10

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Abergavenny Town Council - (Original Plan) Recommend the application is rejected, citing concerns with height of proposal and overdevelopment.

(Final Plan) - Provided the following further observations:

- Support criticism made by DCfW.
- Suggest need for imaginative and comprehensive plans and zones for the town.
- Rushed or careless decision could set bad precedent.

MCC Highways - Object to the application raising the following areas of concern:

- No Transport Statement has been submitted in support of the application.

- Adopted Parking Standards would require total of 36 parking spaces, the proposed 21 spaces (plus 4 visitor spaces) are 15 spaces below standard.
- No evidence to justify sustainable location and reduced parking provision.

MCC Heritage - (Original Plan) Provided the following observations:

- Protecting and enhancing historic townscape character are the topic areas that we consider need to be addressed appropriately.
- The scale, massing and external appearance of the proposed renovation is inappropriate.
- The DAS does not present an evidence based design rationale for the proposal.
- The scale and massing of the proposed renovation should reflect the height of the existing built form along Tudor Street.
- The siting, size and form of the building should complement the existing settlement and townscape fabric.
- Proposals should be sympathetic in scale and character, but should also be contemporary in design.
- Their proposal should consider green roofs, solar water heating and solar electricity on roof space.
- The design of external area(s) need to complement the building and public realm; and landscape planting should be used to reduce rainwater runoff.
- Their appraisal needs to address how the site, proposal and the wider area work together (before scale, style and materials are considered). Re-assessment will provide an opportunity to test what is feasible and appropriate on the site.

(Final Plan) - Provide the following observations:

- Extensive negotiation undertaken with the applicant to address the concerns and advice set out in the initial comments.
- These are welcomed as this has addressed concerns over design and form, breaking up the elevations and creating a stronger vertical emphasis of the built form.
- Elevations now proposed are considered to be acceptable and preserve the special character of the conservation area.
- With additional landscaping and softening the resulting building will complement the development opposite and together enhance this part of the conservation area.

MCC Senior Housing Strategy & Policy Officer - Provided the following comments:

- Policy compliant percentage of affordable housing is 35%, which equates to 7 units.
- In lieu of units provided would request a sum of £112,092 be provided towards local affordable housing to be secured via Section 106 Agreement.

MCC Education - Owing to the type of accommodation provided would not project that this would generate any additional pupils.

MCC Community Infrastructure - Provided the following comments:

- Due to the restricted nature of the site and the need to provide sufficient on-site parking there is no room left to provide any play or recreation provision on the development site.
- We are seeking a combined contribution of £3,942 per unit towards off-site play and adult recreation facilities.
- For 21 units this would result in a contribution of £82,782.
- We would seek to spend this on improvements at Linda Vista Gardens which is the closest recreation space to this development, sitting directly opposite Newbridge House on the opposite side of Tudor Street.

MCC Planning Policy - Provided the following observations:

- Redevelopment of this site for a residential use meets the requirements of Strategic Policy S1 and Policy H1 in principle, subject to detailed planning considerations.
- A total of 7 affordable units would subsequently be required.
- It is noted the proposal relates to a former office building, all of the criteria of Policy E1 relating to the protection of existing employment land must therefore be taken into consideration.
- Policy MV1 should be referred to with regard to access and car parking. Policy MV2 relating to highway considerations and sustainable transport access is also of relevance.

- Policies S17, DES1, HE1, HE2 and EP1 should also be taken into consideration.
- The need for S106 contributions towards play and adult recreation facilities and education should also be considered.

Glamorgan Gwent Archaeological Trust (GGAT) - Archaeological mitigation will be required. Recommend that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent.

Dwr Cymru Welsh Water - No objection with regard to sewerage, sewage treatment or water supply. A condition is requested requiring submission of a drainage scheme prior to commencement of development.

5.2 Neighbour Notification

(Original Plan) Objections from 6 properties were received raising the following areas of concern:

- Increase in height would impact on privacy.
- Impact on sunlight in neighbouring gardens.
- Impact on property resale value.
- Increased levels of noise and light pollution.
- Proposed facade is too urban for its surroundings.
- No four storey buildings in area.
- Siting of refuse collection area is unwelcome.
- Should development go ahead would wish to see planting of evergreen trees and re-siting of bin collection area.
- Concern with lack of parking facilities.
- Cannot be taken as a serious application of passive design principles.
- The randomness and garish whiteness of the strips needs first an explanation for its logic, and more sensibility in its material application.
- Is untrue that there are no trees on site.
- The existing building was designed in a manner which took no account of its corner setting.
- Concern over loss of sound employment building.
- Would be suitable for starter units.
- Concern of accommodation size provided by flats.
- Lack of garden/amenity space.
- Lack of affordable housing.
- Changes to elevational treatment an improvement, but is still frenetic.
- Concern of size of units.
- Poor outlook to North and onto car park.

(Second Plan) Objections from 3 properties were received raising the following areas of concern:

- Confirmation original objections still stand.
- Only parking issues appear to have been resolved.

(Final Plan) Objections from 2 properties were received raising the following areas of concern:

- Confirmation original objections still stand.
- Impact on amenity.
- Unacceptable location of bin storage areas.
- Under provision of car parking spaces.

5.3 Other Representations

Abergavenny Civic Society - (Original Plan) Provided the following observations:

- Questioned validity of PAC.
- No attempt to justify change of use in respect of Policy E1.
- 35% of accommodation to be affordable.
- Redevelopment would be preferable.
- Use of white panels is stark.
- Hope to see revisions that make more of the extension's prominent corner location.

- Additional floor is questionable.
- Main entrance is unimpressive.
- Design makes no use of space around the building.
- Air source and ground source heating pumps normally require a noise assessment.

(Second Plan) - Provided the following observations:

- Maintain objection, only marginal improvement.

(Final Plan) - Provided the following observations:

- Some criticisms have been addressed.
- Too many (unspecified materials).
- Would anticipate conditions requiring approval of materials and landscaping.
- Still disappointing but may do enough to satisfy Policy HE1.
- Redevelopment of site could have produced a much more satisfactory result.

Abergavenny Transition Town - (Second Plan) Provided the following observations:

- If really the local economy has truly no evidenced requirement for starter business units (doubtful) then a re-classification of the site as residential might be acceptable, but then why keep the existing building?
- This scheme clearly evidences the fact that dressing up a poorly resolved series of floor plans just doesn't work externally.
- Lack of other four storey properties in Abergavenny.
- Better to demolish and start again with a scheme that properly does justice to its site and location.
- Should not avoid providing 35% affordable apartments.

6.1 EVALUATION

6.2 Strategic & Spatial Choices

6.2.1 Principle of Development

Strategic Policy S1 of the LDP sets out that *the main focus for new housing development is within or adjoining the Main Towns*, this would include the town of Abergavenny. Policy H1 details that within Main Towns the "conversion to residential, or subdivision of large dwellings or re-use of accommodation such as upper vacant floors in town centres will be permitted subject to detailed planning considerations and other policies of the LDP that seek to protect existing retail, employment and community uses".

In this instance the building's lawful use is that of B1 (offices not within use Class A2) and as such the loss of an existing employment premises requires consideration of Policy E1.

Policy E1 of the LDP seeks that proposals that will result in the loss of existing or allocated industrial and business sites or premises (classes B1, B2 and B8 of the Town and Country Planning Use Class Order 1987) to other uses will only be permitted in the event of a proposal meeting detailed criteria.

A number of employment allocations are located in Abergavenny, the majority of which are well established and designated as Protected Employment Sites in Policy SAE2, it is noted that the premises in this instance is an existing employment site and not designated. For the sake of clarity each criterion in Policy E1 shall be addressed below:

a) the site or premises is no longer suitable or well-located for employment use;

The site provides approximately 1000 square metres of B1 office use; owing to its location within the town and being surrounded by residential properties it would not be a suitable location for either B2 or B8 employment uses. The Job Centre have had a long term lease for the whole building but have gradually downsized and have only used the ground floor for the past 13 years. During this time the vacant upper floors have been marketed for letting with little interest and no uptake. The Job Centre will now seek to relocate to much smaller, more appropriate premises. Given the length of time that the upper two floors have remained vacant and unsuccessfully let it can be concluded that the particular site is now of limited suitability for B1 employment use.

b) a sufficient quantity and variety of industrial sites or premises is available and can be brought

forward to meet the employment needs of the County and the local area;

As noted in response to criterion a) above the site does not have an industrial use and would not, given its location, be suitable for either B2 or B8 use. Further consideration of available employment land is provided in the response to criterion e) below.

c) there is no viable industrial or business employment use for the site or premises;

As detailed above the site is not compatible with surrounding residential uses for either B2 or B8 employment/industry and marketing for a lengthy period has not led to any floorspace being let other than for the Job Centre which proposes to relocate. The building itself is dated and would require renovation works to bring the building back into full use. As detailed elsewhere in this report, the conversion of the building to a residential use provides viability challenges and this would also extend to renovating the building to make it fit for purpose as a modern B1 office space. The proposed residential use is considered entirely compatible with the prevalence of dwellings in the immediate vicinity.

d) there would be substantial amenity benefits in allowing alternative forms of development at the site or premises;

As discussed elsewhere within this report the conversion and extension of the building to residential use when considered in conjunction with the redevelopment of the former Magistrates Court site opposite (which has commenced) can enhance the character and appearance of the Abergavenny Conservation Area. Tudor Street provides an important route into the town centre, the completion of both developments is therefore considered positive. In addition the provision of 21 small (1 and 2 bed) units also provide important housing stock, whilst these unfortunately would not be secured as Affordable Housing, they provide accommodation options for smaller households who are not seeking larger detached dwellings.

e) the loss of the site would not be prejudicial to the aim of creating a balanced local economy, especially the provision of manufacturing jobs.

As stated the location of the site would not be suitable for manufacturing jobs (use class B2). Having regard to the employment opportunities within the wider Abergavenny area, the Employment Land Background Paper (October 2018) provides information on employment land supply across designated employment sites in Monmouthshire, excluding parts within the Brecon Beacons National Park area.

A number of employment allocations are located in Abergavenny, the majority of which are well established and designated as Protected Employment Sites in Policy SAE2. The Ross Road (junction yard) SAE2e designation provides an opportunity for further development to the south of its boundary. As a consequence, SAE1e is allocated adjacent to the SAE2 site as an Identified Industrial and Business Site for a B1/B2 use.

During the plan period a total of 0.92 hectares of land has been taken up at the Westgate SAE1d site in Llanfoist.

A substantial proportion of the SAE1d site is also well established and there is consequently 1.3ha remaining available, accounting for the completion of the Costa coffee shop and the care home. There is a further 1.5ha available at Ross Road.

Whilst the paper does not take account of existing sites such as the application site, it is considered that the loss of B1 office space at Newbridge house would not be so prejudicial to the aim of creating a balanced local economy that it would warrant refusal of the planning application. The other benefits, including the enhancement of the Conservation Area, are mentioned above,.

Affordable Housing Contribution

Policy S4 of the LDP sets out that in Main Towns, as identified in Policy S1, development sites with a capacity for 5 or more dwellings will make provision (subject to appropriate viability assessment) for 35% of the total number of dwellings on the site to be affordable. In this instance this would equate to 7 (7.35) units on site, however given the type of accommodation provided and associated management issues for Registered Social Landlords (RSLs) for units within a single building the Council's Affordable Housing Officer requested a commuted sum of £112,092 be provided that would be secured via Section 106 Agreement.

However, the requirement is subject to appropriate viability assessment and in this instance the applicant has provided a detailed Planning Viability Appraisal. This has been referred to the District Valuer (DV) for independent critical assessment of the viability of the project of making this contribution as well as £82,782 towards recreation.

The DV has considered the proposal and ran an appraisal on two scenarios, namely a) paying the full S106 obligations and b) excluding any payment of S106 obligations. Based on a benchmark land value (BLV) of £620k and developer profit of 20% the former would produce a deficit of £713,010 with a profit equating to -1.34%. Under scenario b) using the same BLV and developer profit margin this would produce a deficit of £509,480 and a profit equating to just 4.54%.

Consequently the DV has concluded the proposed scheme would not achieve a competitive return that falls within an acceptable profit range if any S106 obligations were to be secured. As such, based on the independent assessment of the detailed viability appraisal no S106 obligations are to be sought.

6.2.2 Good Design/ Place making

As detailed above the scheme has been subject to considerable amendment - the original scheme was referred to the DCfW, given concerns raised by the LPA regarding the design philosophy and the important, prominent location with the town.

The original scheme proposed to introduce random vertical elements by way of white rendered panels, and whilst the introduction of a vertical ethos was welcomed the execution would have resulted in an incongruous form of development. Little contextual analysis was provided to justify the original design solution and as such the LPA endorsed the view of DCfW that "the randomness of the applied panels...is at odds with the horizontal emphasis of the existing building and the more ordered architectural 'language' of the CA".

Accordingly the scheme has been amended and it now proposes to introduce clean vertical sections; whilst the building would read as one the means by which it is broken up would acknowledge the prevailing terraced character in the vicinity. The use of pastel coloured render would respond to the older buildings as well as the redevelopment of the former Magistrates Court site. The use of metal cladding and hanging slate are also considered appropriate to the contemporary approach now adopted and again echo the language of the adjoining redeveloped site. A condition to agree samples of the materials is considered necessary given the sensitive location within the CA.

A number of concerns have been raised with the addition of the mansard roof and it is acknowledged that Abergavenny is not characterised by four storey properties. However, this mirrors the height and form of the adjoining site, albeit the footprint of the building subject to this application is notably smaller.

Indicative tree and hedge planting is shown on the revised layout drawings but it is considered important, as noted by the Civic Society, to condition that a detailed soft landscaping strategy be agreed by way of planning condition. This will help to soften the edges of the building and facilitate its integration into the street scene.

In light of the above it is considered that the development now provides an appropriate design solution and therefore accords with Policy DES1 and HE1 of the LDP.

6.2.3 Impact on Amenity

Owing to its central location with the town, the site is bound to the North and West by residential properties. With regard to the properties to the West, Tudor Street, no upper floor habitable windows would be provided in the West elevation facing towards No 53. A condition is to be attached requiring that all bathroom windows in the West elevation are to be obscure glazed to a level no less than Pilkington 3. The only other window to be featured on this elevation would be the retention of an opening on the stairwell that is already featured in the existing building fabric.

Objections have been received from the properties to the North with regard to privacy as well as loss of natural sunlight, by virtue of the additional floor. The corner of the existing building that would be closest to the boundary with these properties is approximately 16.5m to the boundary with No 12 Trinity Street. Moreover, the window to window distance would be approximately 41m to this property. Also to the North boundary the building would be approximately 16m to the boundary with Nos 6, 8 & 10 Trinity Street and also 40m building to building.

Owing to the distances involved it is not considered that the proposed conversion to residential use and the provision of the additional storey would give rise to such levels of overlooking and privacy so as to warrant refusal. This is on the basis of having regard to conventional standards of 10.5m window to boundary and 21m window to window distances.

The building is located due South of the properties along Trinity Street and in part Baker Street, and as such objections have been received with regards to the potential loss of sunlight.

The addition of the mansard roof would increase the height of the building by approximately 2.8m. However, given the distances detailed previously between the building and the neighbouring properties to the North, it is not considered that an increase in height of 2.8m would result in an unacceptable loss of light or a building that is unacceptably overbearing or dominant.

It is considered that the conversion and extension would maintain reasonable levels of privacy and amenity of occupiers of the neighbouring properties and therefore compliant with Policies EP1 and DES1 (d) of the LDP.

6.2 Active and Social Places

6.2.1 (Sustainable Transport Hierarchy)

PPW (Edition 10, 2018) sets out a clear objective of the Welsh Government (WG) to reduce reliance on the private car and supporting a modal shift to walking, cycling and public transport. Paragraph 4.1.9 of PPW10 recognises that "the planning system has a key role to play in reducing the need to travel and supporting sustainable transport".

PPW10 also establishes a Sustainable Transport Hierarchy should be used to reduce the need to travel, prevent car-dependent developments in unsustainable locations, and support the delivery of schemes located, designed and supported by infrastructure which prioritises access and movement by active and sustainable transport. It promotes walking and cycling as the priority mode of transport, and in this instance the site is located in very close short walking distance to the town centre of Abergavenny with all of its associated amenities and facilities. On site provision is also made for cycle storage which would promote the use of cycling as an alternative to the private motor vehicle. With regard to public transport, Abergavenny is one of the more sustainable towns within the County and features both a bus and railway station. Whilst the train station is further away, approximately 0.85 miles, it is still within reasonable distance to provide a genuine alternative to the motor vehicle.

Whilst PPW10 does encourage the use of Ultra Low Emission Vehicles (ULEVs), the provision of ULEV charging points is not a mandatory requirement at this time and therefore their absence from the proposal is not considered unacceptable.

Concerns have been raised by the Council's Highways Engineer with regard to resident on-site parking, having regard to the adopted 2013 Parking Standards. Based on the total number of bedrooms provided between the one and two bed flats, a fully compliant scheme with the 2013 standards would need to feature 36 parking spaces. The proposed layout details one parking space per flat with four additional visitor spaces. Therefore whilst the scheme fails to meet these standards having regard to its sustainable location within the town as well as the availability of bus and train services, a reduced on site number of spaces is considered acceptable. It is considered counterproductive to provide further parking spaces on site that would in effect encourage continued reliance on motor vehicles. This would fail to meet the aforementioned WG aspirations of reducing car usage as a mode of transport.

6.2.2 Access / Highway Safety

It is proposed to continue to employ the existing single vehicular entrance point onto Baker Street as part of the conversion to residential use. Whilst it is accepted that the former Job Centre building had not in its latter days operated at full capacity, as a lawful use the offices would have the potential to generate a reasonable number of vehicular trips (notwithstanding the sustainable location detailed in paragraph 6.2.1). Whilst it is anticipated that the change of use to residential would mean that some residents would not rely upon the private motor vehicle, the proposal would still allow for one car per flat.

However, it is not considered that any increase in movements to and from the site would be harmful to the highway safety of both pedestrians and other motorists. The site would continue to provide the ability for cars to turn within the site and therefore enter Baker Street in a forward gear, whilst the visibility splays already in situ are also considered to be appropriate to accommodate the proposed development. Although the Council's Highways Engineer has raised concerns regarding the number of parking spaces provided, no objections have been received in respect of the adequacy of the site entrance.

Therefore in light of the above the proposed development is considered to accord with Policy MV1 of the adopted LDP.

6.3 **Distinctive & Natural Places**

6.3.1 Historic Environment

As noted in paragraph 1.1 of this report the application site is located within the Abergavenny CA. Criterion (a) of Policy HE1 sets out that development proposals will be permitted where they "preserve or enhance the character or appearance of the area and its landscape setting". The Policy also seeks proposals should have regard to the Conservation Area Appraisal for that area. The site lies within Character Area 3 19th Century Suburbs / Grofield as set out in the Abergavenny CA Appraisal. However, the building itself is not identified as a building that makes a particular or special positive contribution. The building is prominently located but is of limited architectural merit, its appearance is functional and of its time, typical of office buildings of its era. The LPA would therefore have been supportive of its demolition and the erection of a new structure, although the application has cited commercial reasons for its retention and conversion.

Accordingly it is on that basis that the proposal is to be considered.

Detailed assessment of the design merits of the building are provided in paragraph 6.1.2, however consideration must be given to the wider context. Criteria (b) and (c) set out the importance of no adverse impacts on important views and vistas in and out of the CA. In this instance the streetscape along Tudor Street is in the process of significant alteration, works have commenced to redevelop the former Police Station and Magistrates Court into 47 residential apartments (Ref: DC/2018/00007). In assessing the aforementioned application, the LPA gave consideration to both schemes together and have sought significant amendments to ensure a sense of continuity between the proposals. As set out in paragraph 6.1.2 above the introduction of a clear vertical emphasis was paramount which will help to also provide recognition of the site context which features terracing particularly along Baker Street. The use of pastel colours on the rendered sections are also a positive response to the local environment. The random sections of white render originally proposed would have jarred with the prevailing local character.

For these reasons it is considered on balance that the design solution that has been achieved would preserve the character and appearance of the CA, and when taken in conjunction with the approved scheme which has commenced on the site opposite would actually enhance the CA on what is an important route into town. The proposal is therefore considered to meet the criteria set out in Policy HE1.

Biodiversity

Policy NE1 of the LDP sets out that "proposals which may have an adverse effect on designated sites, protected or priority species and habitats must be accompanied by sufficient information to enable a full assessment of the proposal to be undertaken". In this instance the existing building features a large flat felt roof with no roof void or attic space. Accordingly it is considered to be an unsuitable building for use by bats. Whilst substantial works are proposed to the existing roof, including the provision of an additional storey, it is not considered that formal survey work is required to inform the planning decision.

6.3.2 Flooding

The application site in its entirety is located outside of both Zones C1 and C2, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Therefore whilst the proposal is to introduce a highly vulnerable use (as defined by TAN15) to the site it is considered that the proposal fully accords with both TAN15 and Policy SD3 of the adopted LDP.

6.4 Response to the Representations of Third Parties and Town Council

A number of the concerns raised by third parties have already been addressed in the preceding sections of this report. However, other issues raised include the loss of property value which is not a material planning consideration.

With regard to issues of noise and light pollution, whilst the DAS submitted sets out a number of renewable energy technologies that could be explored, the submitted plans do not detail or seek permission for air or ground source heat pumps. With regard to lighting, no additional external lighting is proposed within the grounds of the site.

Whilst the proposed use would inherently involve evening/night use the number of window openings of the building has been reduced. As such it is not considered that it would have a harmful impact in respect of lighting on adjoining properties.

The siting of the refuse collection point has been raised as a concern given its position along the northern boundary to neighbouring dwellings. However, given the nature of Monmouthshire's household waste and recycling service the bags to be collected will only be left outside of the building for a short period of time.

The lack of garden/amenity space for future residents is noted however the site is constrained in terms of opportunities to provide additional provision, however given the nature of the accommodation provided (1 and 2 bed flats) that these do not typically provide personal garden space. The site is located in short walking distance to open green space to the south and therefore future residents would have access to this to the benefit of their health and wellbeing. With regard to the size of the units to be provided the smallest single flat would be 41.5m² and the smallest two bed flat would be 58m². Whilst these are modest, it is considered on balance that they are of acceptable size and would be suitable for the needs of different demographics including younger persons and couples.

With regard to the outlook of units to the north, whilst these will inevitably not benefit from the same passive solar gain as those with an outlook to the south, this is an accepted constraint of the conversion and it is not considered that the standard of accommodation provided would be acceptable and adequately served by natural light. The application was submitted with a Pre-Application Consultation (PAC) report, there is no evidence to suggest that this has not been carried out in accordance with the Welsh Government guidance for these.

Finally it is noted that a number of third parties have advised that demolition and redevelopment of a new building would be preferable. Whilst the LPA do not disagree with this view the applicant has sought permission for the conversion and extension of the existing building, and the proposal must be considered on this basis.

6.5 Well-Being of Future Generations (Wales) Act 2015

6.5.1 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 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.6 Conclusion

6.6.1 The proposed conversion and extension of the former Job Centre Plus office building to residential use has required particularly careful consideration and a balance of relevant planning policy. The implications of the loss of an existing office (B1) building have been considered and it is concluded that the policy aspirations to protect existing employment sites / premises over the plan period in order to ensure there is an appropriate portfolio of employment land and premises would not be compromised.

Tudor Street is currently experiencing considerable change within the context of the CA given the redevelopment of the former police station and magistrate's court. It is considered that the amended scheme provides an appropriate design solution that would complement the adjoining redevelopment and lead to an enhancement of the CA.

Therefore in conclusion it is considered that the development is acceptable subject to the conditions detailed in section 7 below.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 This development shall be begun within 5 years from the date of this permission. REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

REASON: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

4 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

5 Samples of the proposed external finishes shall be agreed with the Local Planning Authority in writing before works commence and the development shall be carried out in accordance with those agreed finishes which shall remain in situ in perpetuity unless otherwise approved in writing by the Local Planning Authority. The

samples shall be presented on site for the agreement of the Local Planning Authority and those approved shall be retained on site for the duration of the construction works.

EASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy GI1.

7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy GI1.

8 All bathroom windows in the side (western) elevation facing towards No 53 Tudor Street shall be obscure glazed to a level equivalent to Pilkington scale of obscurity level 3 and maintained thus thereafter in perpetuity.

REASON: To protect local residential amenity and to ensure compliance with LDP Policies DES1 and EP1.

INFORMATIVES

1 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

2 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.