

## LOCAL MEMBER OBJECTIONS

COMMITTEE DATE: 19/09/2018

APPLICATION No. **18/01563/MJR** APPLICATION DATE: 27/06/2018

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: Charnwood Group  
LOCATION: 24 PARK LANE STUDENT LIVING, PARK LANE, CATHAYS

PROPOSAL: PARK, CARDIFF, CF10 3BA  
CHANGE OF USE OF 34 STUDENT APARTMENTS (SUI  
GENERIS) TO 34 APART-HOTEL ROOMS (CLASS C1)

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**RECOMMENDATION** : That planning permission be **GRANTED** subject to the following condition(s):

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans:
  - PL(10)A100 rev1 Location Plan
  - PL(10)A102 revC Floor Plans 0-1
  - PL(10)A104 revB Roof plan
  - PL(10)A105 revC Proposed elevations

Reason: For the avoidance of doubt.

3. *Specified use of premises:* The premises shall be used for apart-hotel rooms and for no other use within Class C1 of the Town and Country Planning (Use Classes) Order 1987 (As Amended).

Reason: Permission is granted only because of the characteristics peculiar to this proposal.

4. *Highway improvement works:* No part of the development hereby permitted shall be occupied until the highway improvement works approved under application 14/402/DCI to discharge condition 10 of 13/1888/DCI have been implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure the comprehensive enhancement/improvement of the public highway in the interests of highway and pedestrian safety.

### 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

**NB Welsh Government received a Section 77 call-in request on 11<sup>th</sup> July. The Welsh Minister's powers to call in an application for determination**

are discretionary and are used exceptionally. Requests are considered on a case by case basis. A call-in will usually only be considered where an application raises planning issues of more than local importance. A draft of the committee report was sent on 9<sup>th</sup> August to the WG Planning Directorate and a decision on whether or not to call in the application is expected before the date of Planning Committee. The decision will be reported to Committee as a late representation.

- 1.1 The student apartments form part of a wider scheme granted in February 2014 (13/01888/DCI) for the retention and refurbishment of existing office use in the villas fronting Park Place (nos. 23 & 24) and construction of a 3 storey extension to the rear containing 34 student flats.
- 1.2 The application site is at the corner of Park Place and St. Andrew's Place and is located in the Central and Bay Business Area, the Northern Professional Office Area, and the Cathays Park Conservation Area.
- 1.3 The change of use does not require any external or internal alterations to the building fabric.
- 1.4 The 3no. parking spaces accessed from Park Lane are retained.
- 1.5 Adjacent premises at 25 Park Place are in use as professional offices. To the rear is Caradog House, a 5 storey red brick office building currently being converted to student accommodation.

The application is accompanied by a Planning and Design Statement making the planning case, and a report from the managing agents giving background on the current and proposed use.

## **2. SITE HISTORY**

- 2.1 16/1794/MJR PP granted 12.10.16 for change of use of the upper floors of the existing villas at 23 and 24 Park Place to residential accommodation (5no. apartments) and retention of B1 offices at ground floor.
- 2.2 15/515/MJR Change of use from office to managed student accommodation, external alterations and external works. Withdrawn.
- 2.3 14/1947/DCI Change of use from office to managed student accommodation. Appeal dismissed 17.7.15.
- 2.4 13/01888/DCI Planning permission granted in February 2014 for demolition of the rear two annexes to the villas, retention and refurbishment of the existing office use in the main villas fronting Park Place, and construction of a 3 storey extension to the rear containing 34 student flats.
- 2.5 13/01889/DCI Conservation area consent granted in February 2014 for demolition of the rear two annexes to the villas, retention and refurbishment of the existing office use in the main villas fronting Park Place, and construction of

a 3 storey extension to the rear containing 34 student flats.

- 2.6 13/079/DCI Planning permission refused for demolition of existing buildings and proposed mixed-use development comprising 62 bed student accommodation plus 212 sqm retail unit. Dismissed at appeal (ref. A/13/2195043).
- 2.7 13/080/DCI Conservation area consent refused for demolition of existing buildings and proposed mixed-use development comprising 62 bed student accommodation plus 212 sqm retail unit. Dismissed at appeal (ref. E/13/2195045).
- 2.8 12/1267/DCI Planning permission refused for demolition of existing buildings and proposed mixed-use development comprising 79 bed student accommodation plus 200 sqm retail unit. Dismissed at appeal (ref. A/13/2193544).
- 2.9 12/1268/DCI Conservation area consent refused for demolition of existing buildings and proposed mixed-use development comprising 79 bed student accommodation plus 200 sqm retail unit. Dismissed at appeal (ref. E/13/2193546).

### **3. POLICY FRAMEWORK**

- 3.1 Cardiff LDP (2016): Policy EC5: Hotel development.
- 3.2 Supplementary Planning Guidance: Cathays Park Conservation Area Appraisal (2009).

### **4. CONSULTEE RESPONSES**

- 4.1 Land Use Policy: Student accommodation is afforded no protection in terms of land use policy. The only relevant LDP policy is EC5: Hotel development which permits hotel development in the CCBBA which is where the application premises are located. Given that both student accommodation and serviced apartments are let on a temporary basis and therefore both operate in a similar way, the proposal raises no land use policy concerns.

### **5. REPRESENTATIONS**

- 5.1 A letter raising the following concerns has been received from Local Members Merry, Weaver and Mackie:

*'We would question whether sufficient time has lapsed to "test the market" for student accommodation – they have only provided two years of figures. But more to the point we would ask what lessons this has for the number of student blocks that are being approved? We have generally not objected as a point of principle to student accommodation, although we have objected to individual applications, as we have been told repeatedly it would relieve pressure on the family houses in Cathays. We are very concerned that applications for*

*development are being approved on the basis of being for student accommodation that might not otherwise have gained planning permission and that subsequently developers will apply for a change of use on the basis that the market cannot support the accommodation. In this particular case it is for 34 units very close to the university – unless they are charging significantly above the market rate it seems surprising they cannot still rent out the units because of other larger developments further away.*

*We have not done a systematic check of the cost of student accommodation in the area but a quick scroll through of private accommodation in this general area had costs of between £109 and £129 per week (4 different blocks). We cannot make an assessment as to the variation in quality but the price of Park Lane is £180 per week which might suggest the reason for the low take up is not demand but pricing and raises the question as to whether change of use is about maximising profit if the developer can charge more for serviced apartments.*

*We objected originally to the application to build this particular student accommodation as it involved the demolition of part of a villa within the conservation area and the loss of small office space which a previous judgement from the planning inspector had said was integral to the character of the area. Part of the justification members had for voting through the application was that it would be helpful in terms of the demographic of Cathays and relieving pressure on housing. We would seriously question whether the application to demolish part of a Victorian villa in the conservation area would have been approved by the planning committee to build serviced apartments.'*

## **6. ANALYSIS**

- 6.1 The number of large city centre purpose-built student housing schemes that have been built, are under construction, or have been permitted over the last few years, is significant. In general these schemes are much larger (typically 200-500 beds) and consist predominantly of 5-8 bedroom cluster flats with communal kitchen living spaces, and on-site communal facilities such as gyms, TV lounges, study areas etc. This type of accommodation is in general able to charge lower rents than smaller schemes and/or studio type student accommodation due to economies of scale and a more popular model, and demand is consequently higher.
- 6.2 This is reflected in the occupancy data for the application under consideration. Occupancy levels have declined over the last 2 years, from 94% for academic year 16/17 to 65% for academic year 17/18. Current occupancy levels are 6% down on the same period last year.
- 6.3 The report by managing agents 'A Space in the City' states that 'a serviced apartment refers to a furnished apartment available for short-term stays that provides amenities, housekeeping and a range of services where most taxes and utilities are included within the rental price, it is not a long-term residential product'.

- 6.4 Serviced apartments are in essence short term managed accommodation with added facilities (kitchen) and space, and operate much like a hotel use. It is therefore considered that the proposed use falls into the C1 Hotels use class.
- 6.5 A hotel type use is acceptable in principle in the Central Business Area and given the scale of the proposals it is not considered that the change of use will result in an adverse impact on the character of the conservation area.
- 6.6 In response to specific concerns from local members over the timing of the application, and rates charged for the studio apartments, the student housing has been operating for more than 2 years which is considered a reasonable time period, and the managing agent has provided some comparative figures for other student housing developments which show that rates are broadly in line with the market.
- 6.7 In relation to wider local member concerns that approving such a change of use application might give a green light for developers to convert student housing to residential uses without meeting affordable housing, open space, and community facility policy requirements it is important to note that the application is for a change of use to a C1 hotel type use, not a residential use. As such the application does not trigger Section 106 affordable housing, open space or community facility contributions. Furthermore its highly sustainable city centre location does not require any additional parking provision.
- 6.8 Notwithstanding the above a specified use of premises condition has been attached.
- 6.9 Public realm improvements to the rear lane are required via a planning condition attached to planning permission 13/1888/DCI. The developer has delayed carrying out the works until the works at the neighbouring Caradog House are completed and a breach of condition notice has therefore been served. Notwithstanding any agreement between the developer and the developer of Caradog House the condition has been reimposed to ensure the works are carried out prior to occupation of the development.

It is recommended that planning permission be granted subject to conditions.





metres | 2 | 4 | 6 | 8 | 10

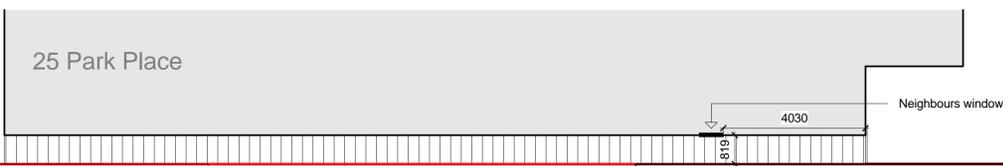
NB: Drawings for planning purposes only.  
NOT for construction.

Notes:

- Two Studio Flats set back from boundary edge on the first and second floor to allow light to neighbours windows



1 Level 0  
1 : 100



2 Level 1  
1 : 100

Revision	Description	Drawn	Date	Checked
C	Minor modifications to building	SG	19.02.2014	
B	Amended for Planning	MW	20.09.13	JJ
A	For Planning	MW	11.09.13	JJ

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Client's Name  
**Charnwood Estates Ltd**

Job Title  
**23/24 Park Place**

Drawing Title  
**Floor Plans 0-1**

Scale  
**1 : 100 @A1**

Job No  
**130805**

Drawing No  
**PL(10)A102**

Status  
**Planning**

Rev  
**C**