

LOCAL MEMBER CONCERN

COMMITTEE DATE: 19/08/2020

APPLICATION No. **20/01047/MJR** APPLICATION DATE: 08/06/2020

ED: **ADAMSDOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Housing Development. Cardiff Council
LOCATION: 118 NEWPORT ROAD, CARDIFF
PROPOSAL: PROPOSED CHANGE OF USE TO MANAGED
ACCOMMODATION FOR HOMELESS
PERSONS

RECOMMENDATION: That planning permission be **GRANTED** subject to the following conditions:

1. The temporary use hereby permitted shall commence on or after 01 September 2020 and cease on or before 01 September 2025. Thereafter the building shall be restored to the consented student housing use.
Reason: To permit the temporary use proposed for the duration of the building lease.
2. The consent relates to, and the development shall be implemented in accordance with the following approved plans and documents:

Plans

Location Plan dated 02 June 2020

Documents

Cardiff Council Background and Proposals Statement
Cardiff Council South Wales Police response email dated 15 July 2020
Cardiff Council Community Impact Assessment received 22 July 2020
Cardiff Council Community Impact Management Plan received 22 July 2020
Cardiff Council 118 Newport Road Policies and Procedures 2020 received 22 July 2020
Cardiff Council 118 Newport Road Generic Risk Assessment received 22 July 2020.

Reason: for the avoidance of doubt.

3. Details of any further means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The enclosures shall be installed within three months of the beneficial use of the development.

Reason. To ensure an orderly form of development.

4. Notwithstanding the submitted plans, details of secured and under cover cycle storage facilities shall be submitted to and approved by the Local Planning Authority. The facilities shall be provided within three months of the beneficial use of the development.

Reason. To ensure adequate provision for cyclists.

5. Notwithstanding the submitted plans, details of secured refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided within three months of the beneficial use of the development. The details shall provide for the following:

The recommended provision for 8 self-contained flats and 38 en-suite rooms with shared kitchens is as follows:

Recycling:	3 x 1100 litre bulk bins
General waste:	3 x 1100 litre bulk bins
Food Waste:	2 x 240 litre bin

(Please advise if it is the intention to have additional paid collections in order for the number of bins to be reduced and to fit in the store).

A designated area for bulky waste

Reason: To ensure an orderly form of development and protect the amenities of the area.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 A full planning permission is sought for a temporary change of use of the premises at 118 Newport Road, from student accommodation to managed accommodation for homeless persons.

- 1.2 The schedule of accommodation (which is to remain unchanged) 46 units, broken down into 8no. self-contained flats and 38no. en-suite studio rooms.

There are 8no. shared kitchens, a staff office and laundry.

- 1.3 There are no external alterations to the building proposed, with internal alterations described as the installation of individual cooking facilities in the studio rooms, and the utilisation of any redundant shared kitchen space as meeting rooms, additional laundry space and additional staff office space.

2. **DESCRIPTION OF SITE**

- 2.1 The site is a three storey (with basement) end of terrace property at the junction of Newport Road and Cyril Crescent. The property benefits from a large rear extension of 2-4 storeys in height. The property has pedestrian access off

Newport Road and Cyril Crescent, with the Cyril Crescent access point having railing gates to a height of approx. 1.6m. The Cyril Road access point provides access to a small courtyard area via a small underpass. The courtyard area benefits from refuse storage and cycle parking facilities.

- 2.2 The site is within a predominantly residential setting on a main arterial route into/out of the City Centre. There are dwellings, offices, doctors and other sheltered accommodation uses in close proximity.

3. **PLANNING HISTORY**

- 3.1 03/01349/R – Conversion and extension to provide student accommodation – Approved.

4. **POLICY FRAMEWORK**

- 4.1 Planning Policy Wales (Edition 10) Dec. 2018

- 4.2 The following policies of the City of Cardiff LDP are relevant to the consideration of this application:-

- KP18 Sustainable Transport
- C1 Community Facilities
- T1 Walking and Cycling
- T5 Managing Transport Impacts
- W2 Provision for Waste Management Facilities in Development

- 4.3 The following Supplementary Planning Guidance is relevant:

- Access, Circulation and Parking Requirements (2010)
- Locating Waste Management Facilities (2017)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager Transportation makes the following comments:

The application is to amend the use of the building from student accommodation to homeless and transition accommodation. The number of rooms and the potential number of residents would remain the same. In these circumstances there would be little transportation impact associated with the change of use.

Transportation therefore has no objection to the proposal.

- 5.2 The Waste Manager notes the refuse storage facilities indicated on the submitted plans and has no objection in principle. A condition is recommended that seeks to secure appropriate capacities and securing of the facility.

- 5.3 The Neighbourhood Renewal (Access) Manager has been consulted and no comments have been received.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 South Wales Police do not object to the application, however the following comments are made:

South Wales Police have considered the above application and have some concerns in respect of community safety. Although South Wales Police do not object to this application and are supportive of the collective desire to manage and support vulnerable elements in our communities we would wish to identify some of our concerns in the response and ask that recommendations are taken into consideration in order to minimise and help manage such concerns.

This development is situated in the Adamstown ward of Cardiff. The crime rate is high. A large proportion of homes in this area are rentals and the population is transient. The local Neighbourhood policing team report that there a high number of calls through the day to this area particularly of theft, bicycle theft, public order, drugs and mental health.

Police.uk would suggest that this is a high crime area with 281 crimes reported for the immediate vicinity between November 2019 and April 2020 which were 2 burglaries,28 vehicle crimes,81 other crimes, 7 drug, 76 antisocial behaviour, 76 violence and sexual offences,2 other theft,5 bicycle theft,14 public order,3 criminal damage.

The concerns South Wales Police have are primarily that there are already three other similar developments within the area and that any further development could potentially impact on Police resources. Between 22/12/2019 and there were 248 incidents reported to the South Wales Police control room from similar developments in the immediate area namely 57 violence, 17 theft, 67 concern,58 other,10 nuisance,14 burglary, 36 crime related, 11 absconder and 13 missing person reports. This demand is also echoed by the Neighbourhood Policing team and BCU management who point also point to existing known developments in the area.

- The proposed development is in close proximity to Ty Seren (a young women's hostel) where many will have vulnerabilities and complex needs, although staffed residents are free to come and go as they please so creating a mixed community with more homeless persons will present certain challenges.*
- On the same street is another development (name not included) which houses young families some who are escaping from domestic violence.*
- The proposed development is between two established hostels (YMCA Oakfield Street and Wallich Clifford).*
- Feedback from many residents including those who attend Adamsdown Pact meetings is that they feel that Adamsdown is becoming a bit of a "dumping ground" with many people having complex needs. So it would be anticipated that many local residents may not be supportive of this development in their area.*
- There are already problems in the area with litter and drug paraphernalia including discarded or unused needles and this may become an issue*

- *outside the proposed development.*
- *The drugs market – police are aware of dealing activity in areas of Clifton and Elm Street which are in close proximity to the proposed site on Newport Road and it is felt that the development may lead to an increase in such activities.*
- *The Neighbourhood Policing Team have been working closely with local councillors, residents and community groups to look at ideas on how to improve the quality of life in the area. Begging and Anti-social behaviour are areas of concern that the police are trying to combat through partnership with the community.*

Given all the above it is surprising that the design and access statement does not mention Community Safety issues and this makes it difficult to understand how community safety will be addressed. Neither does there appear to be a management plan to accompany the application detailing the day to day running of the development, which is crucial to mitigating any problems that may arise as a result of the development being approved.

Therefore on the basis of the application and the above local issues, South Wales Police would make the following recommendations:

- 1 *As far as possible recessed area should be designed out in the planning process. From the plans I can see that there are recessed areas with planting. This could be a problem as it provides hiding places and could attract drug use. Reason to prevent drug use and rough sleeping.*
- 2 *Design should include front boundaries Fencing should be designed in such a way that does not create a climbing aid. Gating that forms part of the boundary should also be of the same height. Front boundaries should be at least 1.2m high. Reason to help create defensible space and assist in management of the development*
- 3 *The plans show a pedestrian as well as vehicular access to the rear this is a good design but it is important that the rear of the building is secured with 1.8 m min walling/gating/fencing Reason to ensure adequate control and management of area.*
4. *The design shows that there are areas where planting is proposed. Planting as stated above is a great place to hide if not managed. South Wales Police would recommend planting that has a mature height of no more than 1m high. Reason to eliminate hiding places/ prevent fear of crime.*
- 5 *The plans show three gates one at the front to a small garden and the gates providing vehicle access/main entrance. There should be adequate access control to both rear garden and main entrance South Wales Police would recommend a detailed scheme of work be submitted to the authority for approval of any access control measures. This should include audio/visual access control on main entrance and access control on all other entrance points with the ability to record user information data for minimum of 30 days reason to ensure safety of residents and staff and assist in management of the building.*
- 6 *There should be a detailed scheme of work for CCTV submitted to the authority for approval this should include coverage of all*

entrances/exists, access points, external elevations and any secure rear area. CCTV should be capable of providing real time, evidential quality imagery day/night time and have storage capacity for minimum of 31 days. Reason to enhance safety of residents and staff and assist in management of development.

7 *There should be a scheme of work submitted to the council for approval in respect of external lighting for the entrances and rear communal area reason to enhance safety of residents and staff and assist with management of the building.*

8 *All ground floor windows and accessible windows should be PAS24:2016 compliant and be fitted with restrictor's reason to prevent burglary and theft.*

9 *All individual flat entrance doors and any external entrance doors should be PAS24:2016 compliant reason to prevent burglary and theft.*

10 *The plans do not show the position of the post boxes. Secure mail boxes should be located within the building but with external delivery aperture. Where possible this should meet requirements of Door and Hardware Federation standards Technical Standard 009 (TS 009) Mail boxes should be covered by CCTV. Reason to prevent theft of mail.*

11 *There are high instances of bicycle theft in the Cardiff area and the bicycle storage that is proposed for this development will need to secure to ensure the residents property is safe. South Wales Police recommend Communal bicycle stores must be lockable and secure with individual stands or multiple storage racks for securing bicycles will be as close to the building as possible, but in any event within 50 metres of the primary entrance to a block of flats and located in view of active rooms of dwellings. The store must be lit at night using vandal resistant, light fittings and energy efficient Galvanised steel bar construction (minimum thickness 3mm), filled with concrete; Minimum foundation depth of 300mm with welded 'anchor bar'. Reason: Prevent theft*

12 *The bin Storage should be secure and lockable – preferably with a combination lock. Reason: To prevent littering and arson.*

13 *Management plan:*

A management plan does not appear to be included in this application. Given the issues identified consideration needs to be given and a risk assessment undertaken of all using the facility before they are allocated accommodation. A detailed management plan should be in place to deal with issues such as risk assessments, staffing issues, management plans, responding to incidents on premises, faults with the entrance systems/ loss of keys/fobs can be reported and quickly replaced/ to include the vehicle entrance gate to the property being locked during the hours of darkness, evacuation and incident management etc.

South Wales Police recommend that a detailed management plan be submitted to the authority for approval prior to occupation. Reason to ensure safety of residents, staff and wider community.

14 *There should be appropriate risk assessments undertaken to ensure adequate fire prevention, detection and evacuation processes are in place reason to save life.*

- 6.2 The applicant has provided responses to the above SWP representation (the document are available to view online). The responses were forwarded to SWP for consideration.

7. **REPRESENTATIONS**

- 7.1 Local Members were consulted by letter dated 25 June 2020 and Councillor Owen Jones makes the following comments:

Could we request that the following application be put to planning committee please.

It poses a significant impact to Adamsdown Ward

- 7.2 Adjacent occupiers were notified by letter dated 25 June 2020 and no comments have been received

8. **ANALYSIS**

- 8.1 A full planning permission is sought for a temporary change of use of the premises at 118 Newport Road, from student accommodation to managed accommodation for homeless persons.

Since the onset of the COVID-19 Pandemic, the Council has sought to enhance its level of temporary accommodation for those homeless in order to help combat the spread of the virus and offer protection for those that are vulnerable. This application seeks to provide further accommodation to provide safe and secure shelter due to COVID and other circumstances.

- 8.2 The site falls within the settlement boundary as defined by the Cardiff Local Development Plan (2006-2026) Proposals Map. The site has no specific designation or allocation. The surrounding land uses are predominantly residential interspersed with a mix of uses, including hotels/guest houses, small scale offices and care homes and other uses falling in Class D1. The premises are located on Newport Road, a primary arterial route into and out of the city centre with good accessibility to public transport links into and out of the city centre. In addition Clifton Street District Centre is within close proximity of the site, offering local facilities within walking distance.

In principle, the change of use from student accommodation to managed accommodation for homeless persons raises no land use policy concerns.

- 8.3 Given the very limited potential for external works that may have an on-street impact (any enhanced enclosures or security lighting), and the planning policy compliance, it is considered that the main issues to consider are those raised by South Wales Police (whilst not objecting to the application).
- 8.4 In response to the comments made by SWP in their initial comments, the applicant provided a raft of additional information, including the requested Management Plan and Risk Assessments (viewable online). These documents

have been reviewed by South Wales Police and the Designing Out Crime Officer makes the following comment:

“I can confirm that South Wales Police are grateful for the assistance from the council and feel that the additional documents provided address the concerns of South Wales Police.”

8.5 Whilst the ‘concern’ of Councillor Jones is noted, there have been no other third party representations made and Councillor Jones has not provided any further information.

8.6 Although floorplans have been submitted with this application, it should be noted that these are intended to indicate the existing accommodation, which is not changing in such a way as to be considered development requiring planning permission (fitting of kitchen facilities to studio rooms and re-rolling redundant communal spaces).

9. **OTHER CONSIDERATIONS**

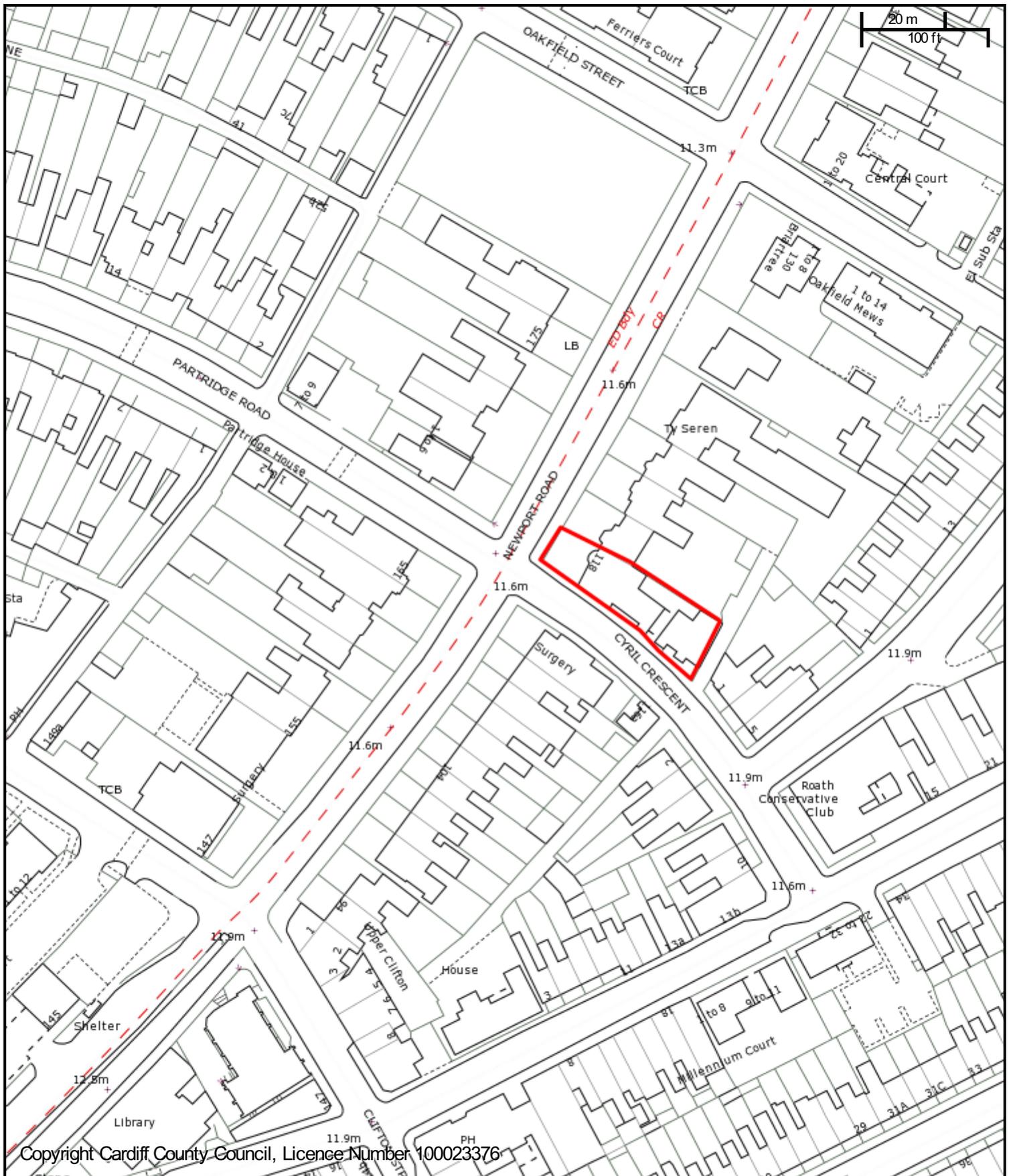
9.1 *Crime and Disorder Act 1998* – Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010* – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

9.3 *Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

10. **CONCLUSION**

10.1 In light of the above, and having regard for current planning policy and guidance, it is recommended that planning permission be granted for a temporary five year period.



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118 Newport Road - Site Location

Scale: 1:1250

Date: 2/6/2020 at 12:38 PM

Coordinates:

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