

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0796/FULL 14.09.2017	Gallagher Developments Caerphilly Limited Gallagher House Gallagher Business Park Warwick CV34 6AF	Insert a mezzanine floor Unit 18 Gallagher Retail Park Parc Pontypany Caerphilly CF83 3GX

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Unit 18 Gallagher Retail Park, Parc Pontypany, Caerphilly.

Site description: The sites comprises Unit 18 within the western section of the Gallagher Retail Park at Crossways, Caerphilly. The retail park lies 2km north-east of Caerphilly town centre and contains B&Q, Wickes, Dreams, Currys, Halfords, Carpetright, FW Furniture, What, Tile and Bath Company, Tesco, KFC, McDonalds, Pizza Hut and Aldi, as well as a range of other uses including a gym, public house and hotel.

The retail park is an established retail destination that has been developed in phases, and the westernmost element comprises a self-contained retail park of five units in an L-shape formation fronting a dedicated surface level car park. Unit 18 is currently occupied by What and extends to 2325sq m gross floorspace. This area of the retail park is bounded by the A468 to the north, the estate access road to the east and further to the east, the wider retail park.

Development: Full planning permission is sought in respect of the insertion of a mezzanine floor within Unit 18 at Gallagher Retail Park. The mezzanine floor will accommodate offices and storage.

The application is supported by the following plans and documents: -

Site Location Plan (reference: PL_21).

Proposed Site Plan (reference: PL_23/A).

Proposed Building Plan (reference: PL_25/B).

Planning and Retail Assessment.

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A full planning application for sub-division and external alterations (to front, side and rear elevations including creation of a new front entrance and installation of plant) to Unit 18 to create two units 18A and 18B within Use Class A1 of the Town and Country Planning (Use Classes) Order, including the sale of food and drink and other convenience and comparison goods and ancillary café from Unit 18B is subject to planning application reference 17/0797/FULL.

Dimensions: Mezzanine amounts to 423 square metres.

Existing Unit 18 = 2325sq m ground floor + 103sq m first floor + 51sq m lobby = 2479sq m.

Proposed - 2325sq m ground floor + 526sq m first floor (inc 423sq m new mezzanine) + 51sq m lobby = 2902sq m.

Materials:

Ancillary development, e.g. parking: 353 existing car parking spaces.

PLANNING HISTORY 2005 TO PRESENT

P/05/1368 - Carry out retail warehousing development with associated car parking and servicing (Phase 3). Granted 02.11.2006.

07/0168/NCC - Vary Conditions (8) and (27) and delete Condition (10) of Planning Permission P/05/1368. Granted 24.07.2007.

07/1230/NCC - Vary Condition 15 of planning permission 07/0168/NCC to amend number of parking spaces to be provided. Granted 28.01.2008.

08/1036/ADV - Erect five aluminium tray signs. Granted 31.10.2008.

08/1045/ADV - Install six poster frames. Granted 12.11.2008.

13/0025/NCC - Vary Condition 04 of planning permission 07/1230/NCC to enable up to 25 per cent of the net sales space within Unit 18 to be used for the sale of other goods not including clothing, footwear or fresh food products. Granted 14.02.2013.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 within the settlement boundary, Policy CM2.2 Retail Warehouse, CM4.10 Commercial Development.

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Policies:

SP3 Development in the Southern Connections Corridor (SCC), Policy SP6 (Place making), SP17 Promoting Commercial Development, CW2 (amenity), CW3 (Design considerations-highways), CW15 - General locational constraints, CW16 - Locational constraints - Retailing, CW17 - Locational constraints 17 - Retail warehousing.

Supplementary Planning Guidance - Town Centre Action Plan 2011 - 2016.

NATIONAL POLICY

Planning Policy Wales, 9th Edition, Chapter 10 Technical Advice Note 4 (TAN 4) Retail and Commercial Development (2016) provides guidance on the issues relevant to the consideration of this application and the preparation of impact assessments and the operation for the sequential test. It states that all applications for retail development over 2500m² gross floor space should be supported by an impact assessment providing evidence of, inter alia, whether the application has adopted a sequential approach to site selection, and the availability of alternative sites and the likely economic impacts on town and district centres, including any cumulative impact. It adds that such assessments may be required for smaller development, for instance those are likely to have a large impact on a smaller town or district centre.

Technical Advice Note 23 (TAN 23) Economic Development (2014) provides guidance on the economic development issues relevant to the consideration of this application.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not an issue in respect of this application.

CONSULTATION

Transportation Engineering Manager - No objection.

Strategic & Development Plans - No policy objection is raised to the proposal in this instance as the RIA sufficiently demonstrates that the sequential test has been fully applied; a quantitative need has been demonstrated; and that the impact of the development on Caerphilly Town Centre would be minimal.

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Head Of Public Protection - No adverse comments.

CADW - No comments to make on the proposed development.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 8 neighbouring properties have been consulted.

Response: None.

Summary of observations: Not applicable.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?
There are no specific crime and disorder implications material to the determination of this planning application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Regulation 6(1) of the CIL Regulations (as amended) detail works that are not treated as development for the purposes of CIL liability, with 6(1c) being works carried out in respect of an existing building for which planning permission is required only because of s55(2A) of the 1990 Act. Accordingly the construction of the new internal mezzanine floor is exempt development for which there is no CIL liability.

In terms of the external alterations/sub-division application, this also does not incur a CIL charge as there is no change of use and no increase in floorspace (in fact the total gross floor area will decrease by 124sq m).

ANALYSIS

Policies:

The application has been considered in accordance with local plan policies and national planning guidance. The mezzanine is acceptable in itself on the basis of the existing use of the building. The other application for an extension of what is sold at the premises can be considered separately.

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The main issues to consider in the determination of this application are in respect of the proposed A1 use and whether the development will comply with national and local policy, and a full report is set out under item 17/0797/FULL elsewhere on the agenda.

Policy CW16 - Locational Constraints - Retailing of the LDP states: -

Outside of the defined Principal Town Centres proposals for new retail stores or for additional retail floorspace will only be permitted where:

- The vitality and viability of nearby Principal Town Centres will not be undermined, taking into account the cumulative effects of other approved retail developments, recently completed developments and Plan commitments, and
- The proposal would not undermine the Council's retail strategy, a Town Centre Action Plan or any regeneration plans that the Council has formally approved, or
- The proposal is:
 - i A new retailing unit of 1000m² or less in size, or the change of use of such a size, and
 - ii To serve neighbourhood needs, or is ancillary to another commercial use.

The mezzanine does not constitute a new store but will extend the amount of retail space at these premises. On the basis of the current retail warehouse use of the building, it is not considered that an additional 423 sq.m of space will be contrary to Local Development Plan Policy.

Comments from Consultees: No adverse comments.

Comments from public: None.

Other material considerations: None.

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. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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- 02) The development shall be carried out in accordance with the following approved plans and documents: site location plan reference PL-21; proposed site plan reference PL-23 Rev A; proposed building plan reference PL-25 Rev B.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission:
CW2.

