

PREFACE ITEM

APPLICATION NO. 17/0565/FULL

APPLICANT(S) NAME: Robert Price and sons Ltd.

PROPOSAL: Erect extension to existing detached storage building

LOCATION: Robert Price Builders Merchants Ltd., 145
Pontygwindy Road, Caerphilly

This application was originally reported to the Planning Committee on 8th November 2017, and was deferred as members were minded to refuse the application. A copy of the previous report is attached.

At the committee members raised concerns with regard to the impact of the extension on the rear garden of the adjacent dwelling at number 151 Pontygwindy Road. In particular concerns were raised in respect of the overbearing impact of the extension on an area of garden within which a former vegetable patch and large garden shed were located.

Whilst Officers acknowledge that the proposed extension to the existing storage buildings on the application site would have an impact on the amenity of the neighbouring garden, it is not considered that this impact would be so significant as to warrant refusal of this application. The proposed building is some 55m away from the rear of the objector's property and is sited immediately adjacent to an existing large storage shed in the objector's rear garden. Whilst this storage shed may be in a poor state of repair, it is still a feature on site that serves to mitigate the impact of the proposed extension.

The Local Planning Authority has to consider each application on its own merits as the situation currently stands whilst also having regard for other material factors such as permitted development rights. In this instance the presence of the storage shed in the objector's garden is a significant material factor that weighs in favour of the application.

It should also be noted that, given the path of the sun, the objector's own shed would cast a significant amount of shadow on the aforementioned vegetable patch early in the morning and this has also been factored into the consideration of the impact of the proposal. The proposed extension itself would also cast a shadow over the vegetable patch but this shadow would only be cast for a short period during the late morning of approximately 1 hour. This is not considered to be significant.

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Application No: 17/0565/FULL - Continued

RECOMMENDATION

In conclusion it is considered that the proposed extension is acceptable in planning terms and as such the application should be approved in accordance with the recommendation contained in the attached report.

However, if Members are minded to REFUSE the application then I would suggest the following reason for refusal:-

1. The proposed development would have an overbearing impact on the rear garden of the adjacent dwelling at number 151 Pontygwindy Road thereby having a detrimental impact on the amenity of that property. As such the proposal is contrary to criterion A of Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

Planning Committee 8.11.17.

Appendix

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0565/FULL 04.07.2017	Robert Price And Sons Ltd Mr W Godfrey Park Road Abergavenny NP7 5PF	Erect extension to existing detached storage building Robert Price (Builders Merchants) Ltd 145 Pontygwindy Road Caerphilly CF83 3TD

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is situated on the western side of Pontygwindy Road.

Site description: The application site is an established builders merchant's including a retail showroom towards the front of the site and a storage yard to the rear. The yard is largely given over to open air storage but there is a large portal frame storage building in the north west corner of the site adjacent to the side boundary of the rear garden of the dwelling at number 151 Pontygwindy Road. The storage building is steel clad with a profile sheeting roof.

The application site is located in a mixed use area with residential properties to the north, a supermarket to the west and south, and a public house to the east.

Development: The application seeks full planning consent for the erection of an extension to the existing storage building. It would be a two bay extension of the same width and height as the existing building, having an apex roof to match.

Dimensions: The extension measures 6m long by 15m wide by 6.2m high.

Materials: To match the existing building.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

07/1036/FULL - Erect single-storey extension to accommodate sanitary and canteen facilities, alterations to front elevation of building - Granted 03.10.07.

Cont'd

Planning Committee 8.11.17.

Appendix

Application No. 17/0565/FULL Continued

13/0726/FULL - Erect two bay extension to existing storage building - Refused - 07.07.16

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

National Planning Guidance contained in Technical Advice Note 12 - Design.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is not a significant issue in this instance.

CONSULTATION

Transportation Engineering Manager - No objection.

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Planning Committee 8.11.17.

Appendix

Application No. 17/0565/FULL Continued

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - No objection subject to the submission of a drainage scheme.

Dwr Cymru - Provides advice to be conveyed to the developer.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: Two letters of objection were received.

Summary of observations:

1. Loss of light and amenity to rear garden.
2. Increased traffic.
3. Increased noise.
4. Increased dust.
5. The extension would leave insufficient space for turning and manoeuvring.

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?
None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Is this development Community Infrastructure Levy liable? No.

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Appendix

Application No. 17/0565/FULL Continued

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application site is an established builder's merchants and as such the principle of development is established on this site. The main points to consider in the determination of this application are the objections raised by the member of the public and these will be considered in turn below:-

1. The objector alleges that the building would cause a loss of amenity to the rear garden of his property. The area referred to is at the end of the garden that is sited some 50m away from the objector's dwelling. In that regard it is not felt that the proposed building would have any unduly unacceptable impact on the amenity of the neighbouring dwelling.

The building was causing shade at the far end of the neighbours' garden, but at the immediate rear of their dwellings, buildings are at a domestic scale and they enjoy adequate light. It should also be noted that the amended scheme only provides for a 6m long extension to the existing buildings, half the length of that proposed originally on this application and that refused consent last year. The proposed building would be adjacent to an existing outbuilding in the objector's rear garden and as such there would be no significant impact on any amenity space within that garden.

2. The area where the storage building is located is already used for storage purposes but the extension will allow better storage for materials that cannot be left out in the elements. The extension is also relatively small in comparison to the existing buildings on site and as such it is not felt that it would lead to a marked increase in traffic to the site.

3. As the extension would increase the covered storage within the site and also create a screen on the common boundary with the objector's property it is felt that the proposal would actually lead to a reduction in noise impacts. It should also be noted that the Head of Public Protection has raised no objection to the application.

4. Again the extension would increase the covered storage on site and therefore it is considered that there would be a decrease in dust impact as a result of the development.

5. As stated above, the area proposed for the extension is currently used for open air storage and as such is not used for the turning or manoeuvring of vehicles. It is considered that there is adequate space within the site to accommodate the proposed extension.

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Appendix

Application No. 17/0565/FULL Continued

Comments from consultees: No objections raised.

Comments from public: Addressed above.

Other material considerations: None.

In conclusion it is considered that the proposal is acceptable in planning terms.

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.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Location Plan, 1737-01A, 1737-02A, 1737-03A, 1737-04A, 1737-05A and Planning Statement.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
REASON: In the interests of the visual amenities of the area.

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Planning Committee 8.11.17.

Appendix

Application No. 17/0565/FULL Continued

- 05) Notwithstanding the submitted plans, the area indicated for the turning of articulated lorries shall be laid out in accordance with the submitted plans and that area shall thereafter be kept clear at all times for the turning of vehicles only.
REASON: In the interests of highway safety.

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.

Please find attached comments from Dwr Cymru/Welsh Water and the Council's Ecologist.

DEFERRED FOR REASONS FOR REFUSAL

