

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0644/NCC 06.09.2017	Mr N Hinchly Stonerite Ltd Unit A 6 Greenway Bedwas House Industrial Estate Bedwas Caerphilly CF83 8DW	Vary condition 7 of planning consent P/99/0985 (Change use from storage & distribution (Class B8) to industrial (Class B2) to install new access roller shutter door to rear Stonerite Ltd Unit A 6 Greenway Bedwas House Industrial Estate Bedwas Caerphilly CF83 8DW

APPLICATION TYPE: Development without complying with conds.

SITE AND DEVELOPMENT

Location: Stonerite Ltd, Unit 6A Greenway, Bedwas House Industrial Estate, Bedwas, Caerphilly, CF83 8DW.

Site description: Commercial unit manufacturing worktops located to the south of Pandy Road and to the west and north of Greenway Road. The neighbouring unit to the west houses a Children's play centre. Pandy Road is adjacent to the northern site boundary with residential properties beyond and Greenway road bounds the east and southern boundaries.

Development: Vary condition 7 of planning consent P/99/0985 (Change use from storage & distribution (Class B8) to industrial (Class B2) to install new access roller shutter door to rear.

Dimensions: 4.85m wide by 4.4m high.

Materials: Metal roller shutter door.

Ancillary development, e.g. parking: None.

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PLANNING HISTORY 2005 TO PRESENT

09/0241/FULL - Erect an above ground electrical control kiosk (2000mm x 825mm (Plan), 1800mm high) to serve a new CSO chamber. Granted 20.05.2009.

17/0277/RET - Retain storage shelter. Granted 05.06.2017.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

SUPPLEMENTARY PLANNING GUIDANCE Supplementary Planning Guidance note LDP 7 (Householder Development).

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? This is a High risk area, and so it is intended to attach an informative note about mining conditions in the area.

CONSULTATION

Transportation Engineering Manager - No objections.

Head Of Public Protection - No objection subject to planning condition requiring the door to be kept closed when not in use.

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ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to 8 nearby properties.

Response: One letter of objection has been received with a supporting petition signed by 20 persons from 13 properties.

Summary of observations: - The new roller shutter is in direct view of the objectors' bedroom window and as with the roller shutter they already have open all day so the curtains or blinds would have to be closed.

- Roller shutter would be used like the other roller shutter, to be opened to allow for the cutting of granite worktops near the entrance. The existing noise is ear-piercing; the objectors have had to approach the staff at 06.15am in the week and 06.45am on a Saturday morning. It happens five days a week and on a Saturday morning. Noise can be heard in the back of the house and in the rear garden. Allowing another roller shutter at the rear of the building would double our misery.

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? It is not considered that crime and disorder will be materially affected by the development.

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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No, the development does not create any additional floorspace.

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ANALYSIS

Policies: This application seeks permission to vary a planning condition on an earlier permission (P/99/0985) which restricted new openings to the unit. The proposed new roller shutter access door would be visually acceptable and in keeping with the existing unit's northern elevation and would accord with adopted Local Development Plan Policy SP6 (Placemaking).

In relation to the impact of the development on neighbour amenity the proposed installation of an additional roller shutter door on the rear elevation has brought forward concerns which are reflected in the neighbour representations received. Clarification has been sought from the applicant in relation to the need for the proposed additional access door and the applicant was advised of the objections received from neighbours. In response the applicant has stated that the need for the door is to facilitate access arrangements for bringing in worktop slabs as part of the business operation. The door will also assist in storing and loading vans with the finished products.

In respect of the noise complaints received from neighbours the applicant has stated the proposed works would allow for the existing roller shutter door to be closed for longer periods than at present and has indicated that noise generating machinery is located closer to the existing roller shutter door and as such anticipates that there would be a reduction in sound levels as a result of the development. The position of the new roller shutter is closer to a storage shed for which retrospective planning permission was granted (17/0277/RET) and which would be located between the proposed new roller shutter door and residential properties on the opposite side of Pandy Road which may assist in providing some additional buffering to noise.

The Environmental Health Officer who has been provided with the neighbour's representation has offered no objection to the development subject to a planning condition requiring the access door to be closed when not in use. It is therefore considered that the proposed works would not be likely to increase existing noise levels at the business premises. It is also highlighted that were the applicant to operate the new and existing access doors in such a way to increase noise levels at the site there is separate legislation in relation to a statutory noise nuisance which would allow for the Environmental Health section to take action. The development accords with Policy CW2 (Amenity) in having an acceptable impact on neighbour amenity.

The application is acceptable in terms of its design and impact on neighbour amenity and is recommended for approval accordingly.

Comments from Consultees: Addressed in the body of this report.

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Comments from public: The objections have been addressed in the body of the report.

Other material considerations: 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:
-Proposed Floor Plan, drawing received 06.09.17;
-Proposed Rear Elevation Plan, drawing received 06.09.17.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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.
- 04) The rear roller shutter hereby approved is to remain closed at all times apart from when needed for the purposes of access and egress.
REASON: In the interests of neighbour amenity.

Advisory Note(s)

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority.

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, SP6.

