

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0600/LA 24.10.2014	CCBC (Building Consultancy) Mr K Fullwood Directorate Of The Environment Unit 1 Woodfieldside Business Park Woodfieldside Pontllanfraith Blackwood NP12 2DG	Erect a single-storey demountable building to be used as a Flying Start Unit for CCBC Land To The Rear Of Gelligaer Community Centre Aneurin Bevan Avenue Gelligaer Hengoed CF82 8ES

APPLICATION TYPE: Local Authority Application

SITE AND DEVELOPMENT

Location: Land to the rear of Gelligaer Community Centre, Aneurin Bevan Avenue, Gelligaer. The site is located within the settlement boundary of Gelligaer within a predominantly residential area. Residential dwellings are located immediately to the north and southwest of the site, Gelligaer Community Centre is located to the east of the site. A small single-storey, convenience store is located immediately to the south of the site beyond which is a very large, asphalt-topped car parking area.

Site description: The site comprises a Council maintained grassed area surrounded by a network of pedestrian footpaths linking Claerwen, with Aneurin Bevan Avenue and beyond. Vehicular access to the site is obtained off Aneurin Bevan Avenue to the east, into the large car park area where 9 car-parking bays are identified to serve the development.

Development: Full planning permission is sought in respect of the provision of a single-storey demountable building to be used as a Flying Start Unit for Caerphilly County Borough Council. The internal layout of the building comprises an entrance lobby, meeting room, office, toilets, main childcare room, kitchen and storerooms. The development includes a play area to the west of the building including a canopy and shed but no details have been provided in respect of the canopy and shed. The site is to be enclosed with a 2.1m high grey weld mesh fence.

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Dimensions: The footprint of the Flying Start building measures 18m x 9m x 3.7m high with a shallow pitched roof. A play area is proposed to the west of the building and will include a canopy and shed. The play area is to be divided into two parts separated by weld mesh fencing to accommodate a grassed area and play area. The footprint of the canopy measures 5m x 5m and that of the shed 3m x 2.4m but no details have been given in terms of height.

Materials: The main building will comprise metal sheet tile effect roofing, timber effect cladding to the walls, grey upvc windows, doors, fascias, soffits and 2.1m high grey weldmesh fencing around the periphery of the site.

Ancillary development, e.g. parking: 9 parking bays.

PLANNING HISTORY

5/5/89/0341 - Erect extension to shop to form residential - Granted 26.06.89.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - settlement boundary.

Policies:

Strategic Policies

SP1 - Development Strategy in the Heads of the Valleys Regeneration Area, SP6 - Place making, SP21 - Parking Standards.

Countywide Policies

CW2 - Amenity, CW3 - Design considerations - highways, CW15 - General locational constraints, supplementary planning guidance contained in LDP5 - Parking Standards and LDP6 - Building Better Places to Live.

NATIONAL POLICY

Planning Policy Wales, 7th Edition - July 2014, TAN 12 - Design.

ENVIRONMENTAL IMPACT ASSESSMENT

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

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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 planning application.

CONSULTATION

Transportation Engineering Manager - Objects to the proposal. In the absence of adequate off-street parking facilities the development would generate additional on-street parking, to the detriment of highway safety. Whilst parking provision is shown within the red-line boundary on the submitted plans, further investigations have shown that this portion of land is in the control of the Housing Directorate. Therefore, the applicant has not demonstrated control over this land. A more favourable response would be given to a proposal providing adequate parking for the development within the applicant's control.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - Requests a condition is attached to any consent requiring comprehensive details showing how surface water and land drainage flows from the site will be dealt with. He provides advice to be conveyed to the developer in respect of land drainage matters.

Dwr Cymru/Welsh Water - Provides advice to be conveyed to the developer in respect of drainage matters and water supply.

Principal Valuer - No comments.

Gelligaer Community Council - Object to the development as it is deemed the development is too close to residential properties.

ADVERTISEMENT

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

Response: One petition signed by 261 local residents objecting to "the new planned development on the green behind Greenhill Stores," and 9 individual letters of objection.

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Summary of observations:

- loss of the use of the only green play area in the vicinity, which is needed, well used and well overlooked by surrounding residential properties away from the highway in what most describe as an extremely undesirable area,
- existing problems in terms of anti-social behaviour, criminalisation, drug dealers and users will be exacerbated by the introduction of a building on this green area providing the opportunity for thieving and vandalism and provide another haunt for drug dealers,
- a voluntary organisation called Adventure Play use the green and do a fantastic job with children in the area using the green for children's activities (football, rounders, learning to pitch a tent etc.) which are held on Mondays and Friday, and also extra days during school holidays,
- existing problem of bins of soiled nappies outside houses would encourage the already overpopulated rat problem,
- why waste money building another building when the community centre and church hall already exists,
- Gelligaer Community Centre has recently been refurbished and apparently a member of the committee from the community centre has requested Flying Start use their facilities, as they can accommodate their needs, so too could the recently refurbished Church Hall,
- would result in the devaluation of property,
- erection of building will prevent natural surveillance by residents of shop who are able to inform police or shop owner of any criminal activity related to the shop,
- the proposed parking conflicts with the area currently used by shop for delivery vehicles, staff and customers,
- request the application be revoked due to the applicant providing misleading information on the application form in terms of the current use and description describing it as vacant, undeveloped, grassland.

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.

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EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Not applicable.

ANALYSIS

Policies: The application has been considered in accordance with Local Plan Policies and National Planning Guidance. The main issues in respect of the determination of this planning application are considered to be in terms of design, amenity and highway implications.

Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 considers amenity and development proposals should amongst other things have no unacceptable impact on the amenity of adjacent properties or land, should not result in the over-development of the site, and be compatible with surrounding land-uses.

The proposed building is sited more or less in the middle of the application site constrained by a 6m easement required over a Foul Water Sewer to the east of the site. The minimum distance between the proposed front elevation of the Flying Start building and the front elevations of residential properties along Claerwen to the north of the site is 11.4m. The distance between a proposed shed indicated along the northwest boundary of the site and a residential property at Claerwen is 7.6m. The front elevation of the proposed building facing Claerwen includes a glazed, double entrance door into a lobby area, a glazed double door and a single window into the main childcare area, a single window to a cloakroom and a double window serving a meeting room. All these openings in the front elevation of the building will result in direct overlooking and loss of privacy in respect of those residential properties along Claerwen as a result of the close proximity of the proposed building to these dwellings, to the detriment of the residential amenity of those neighbouring dwellings.

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In addition, notwithstanding there is no right to a view in planning terms it is considered the amenity of neighbours adjacent to the new development will be adversely affected by loss of outlook because the proposal results in overlooking and loss of privacy due to the close proximity of the development, which is compounded by the erection of a 2.1m high grey weld mesh boundary fence which would be over dominant and overbearing in this predominantly residential area to the detriment of the visual amenity of the occupiers of neighbouring residential properties.

Policy CW3 considers highway implications and in this respect the Transportation Engineering Manager has raised objection to the development because the applicant has not demonstrated that he has control over the land indicated for parking on the submitted plans, which is in the ownership of the Caerphilly County Borough Council Housing Department.

Comments from Consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Comments from public: The 261 signature petition and 9 letters received objecting to the development have laid great weight upon the loss of this site as a play area for local children. Concern has also been raised suggesting that the approval of this application will exacerbate existing problems of anti-social behaviour, vandalism and criminalisation experienced in the area. Specific details of the objections and reasons why are referred to above and it is considered the concerns of residents expressed above are a material planning consideration in the determination of this planning application. However, the loss of the use of this green space as a play area is not sufficient reason to refuse the application. Issues of anti-social behaviour, vandalism and criminalisation are matters that are material planning considerations, but in planning terms there are no objections in principle to an education facility in a residential area. Therefore, in this case, those issues would fall within the jurisdiction of the Police Authority.

Objectors have raised the question why the existing Gelligaer Community Centre could not accommodate the Flying Start use. The applicant has confirmed the building is not suitable for the proposed use.

In conclusion, it is considered the proposed development conflicts with Local Plan Policies for the reasons discussed above and as such is not acceptable in planning terms.

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RECOMMENDATION that Permission be REFUSED

The reason(s) for the Council's decision is/are

- 01) The proposed development as a result of its close proximity will result in direct overlooking and loss of privacy in respect of those neighbouring residential dwellings at Claerwen to the detriment of residential amenity contrary to Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
 - 02) The proposed development as a whole is considered to be over-dominant and overbearing within the context of this predominantly residential area to the detriment of the visual amenity of the occupiers of neighbouring residential properties contrary to policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
 - 03) In the absence of adequate off-street parking facilities, the development would generate additional on-street parking, to the detriment of highway safety contrary to Policy CW3 of the Caerphilly County Borough Local Development Plan - Adopted November 2010.
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