

APPENDIX 1

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0057/FULL 02.02.2012	Mr J Dhesi 102 Fair View Cefn Fforest Blackwood NP12 3NL	Reposition existing shop with small store and convert existing shop into a lounge 102 Fair View Cefn Fforest Blackwood NP12 3NL

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application property is situated on the junction of Fairview with Elgar Close.

Site description: The application property is a detached building that is currently in mixed use as a dwelling and shop. The building comprises a traditional dwelling forming the main bulk of the structure with the shop element being housed in a single storey extension to the front of the dwelling. The shop unit is a small unit of approximately 35 square metres, it has a flat roof and is finished in face brickwork and render. The shopfront has been finished in pvc with a roller shutter housing above and the property is set back from the road with a grassed area to the front that is enclosed by a brick wall. The property is in a mainly residential area with dwellings to the north and east and roads to the south and west.

Development: The application seeks full planning consent for the erection of an extension to the building in order to house the shop with the existing shop area being converted to a lounge to serve the attached dwelling. The extension will be to the front and side of the existing shop and will include a small extension to the sales area and a new storeroom. The existing shopfront is to be refitted to the extension and the building is to have a hipped roof.

Dimensions: The extension projects out 4m from the front of the dwelling and 3.6m from the side and is 3.4m high.

Materials: To match the host building.

Ancillary development, e.g. parking: None.

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PLANNING HISTORY

P/00/0593 Erect one double sided free standing advertisement display unit -
Granted 02.08.2000.

P/05/1329 Erect extension to existing retail premises - Refused 17.11.2005.

09/0355/FULL Install new shop front and security shutters - Granted 03.07.2009.

11/0349/FULL Erect shop/store extension with parking provisions - Refused
07.07.2011.

POLICY

Site Allocation

Local Development Plan: Within settlement limits.

Policies

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

Guidance Note 1 to the Adopted Development Design Guide LDP 7 for
householder development advises that the purpose of the planning system is to
safeguard the existing qualities of buildings and streets and that extensions and
alterations should be designed to complement the character of your street or
area.

Guidance Note 2 to the Adopted Development Design Guide LDP 7 for
householder development gives advice on extensions and conservatories.

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

National Policy: Paragraph 4.10.9 of Planning Policy Wales (2010) 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."

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

CONSULTATION

Transportation Engineering Manager - No objection on the basis that the Local Planning Authority can control any further increase in the size of the shop premises.

Head Of Public Protection - No objection subject to a condition controlling the installation of any external and roof mounted plant and machinery in order to control noise.

ADVERTISEMENT

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

Response: One letter of objection and a petition containing 9 signatures was received in respect of the application.

Summary of observations:

1. The extension would attract more customers to the premises thereby creating parking issues to the detriment of highway safety. Previous applications have been refused on highway safety grounds.
2. The proposal will also lead to more anti social behaviour, noise nuisance and litter.
3. The proposed extension would have an overbearing impact on the amenity of the neighbouring dwelling.

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? No.

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ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are the objections raised by local residents and these are dealt with in turn below.

- Local residents have raised a number of issues with regard to highway safety relating to an expectation of increased trade to the retail premises. Previous applications for planning consent have been refused at this property on highway safety grounds as those schemes did not provide sufficient car parking and the site is situated on the junction of Fairview and Elgar Close and also within 100m of a bend in the road to the north of the site. However, those schemes proposed extensions to the sales area of the shop that required the provision of additional off street parking, which could not be accommodated on the site. This application proposes an increase in the tradeable area of the shop of 2.5 square metres. The Council's Adopted Supplementary Planning Guidance LDP 5 allows an increase in the floor space of retail premises under 200 square metres of 20%. This proposal falls within that allowance and as such no additional off street car parking is required. Whilst the attached dwelling will be extended by the conversion of the existing shop area, the dwelling already has the maximum of three off street parking spaces and therefore no additional parking spaces are required there either. The extension would not impede the vision splay at the junction of Fairview and Elgar Close and there would be no dangers to the safety of pedestrians. As such the proposal is considered to be acceptable in highway safety terms and no objections have been raised by the Transportation Engineering Manager. However, it is considered that it would be prudent to attach a condition to any consent granted preventing the new living room from being converted back to a retail use and ensuring that it is converted or the use ceased prior to the new shop area coming into use.
- There is no evidence to prove that this proposal would lead to an increase in anti social behaviour or litter problems in the area. There is only a small increase in the floor area created by the proposal and it is not felt that this would lead to a marked increase in either trade or anti social behaviour associated with the property or litter problems. Any existing issues of anti social behaviour are a matter for the police.

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- Whilst the proposed extension would project out from the front of the application property by some 4m it is not felt that it would have any impact on the amenity of the neighbouring dwelling at number 104 Fairview. That property has an attached garage on the side of the property adjacent to the application site that also projects out from the front of the dwelling such that it will not be possible to see the proposed extension from the living room window of number 104 and therefore it is not felt that the proposal would have an overbearing impact on that dwelling.

In conclusion it is considered that the proposal is acceptable from a design perspective and would actually improve the appearance of the application property, the proposal would not pose dangers to highway safety and there would be no detrimental impact on the amenity of the neighbouring dwellings. As such it is considered that the proposal is acceptable in planning terms.

Comments from consultees: No objections raised.

Comments from public: Dealt with above.

Other material considerations: None.

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 proposed shop area hereby approved shall not come into beneficial use until the existing shop area has been converted into a lounge as shown in the submitted plans and that area shall not thereafter be used for any other purpose.
REASON: In order to retain control over the future use of the property in the interests of highway safety and residential amenity.

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- 03) Prior to the installation of any external or roof mounted plant/machinery associated with the development, details of such plant and machinery shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the location of the plant and machinery and predicted noise levels (Measured as LAeq 1 hour) as measured on the boundary of the application site. The plant and machinery shall be installed in accordance with the approved details prior to being brought into operational use.
REASON: In the interests of public amenity.

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: CW3.
