

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0043/FULL 20.02.2015	Chemical Corporation Mr A Barkham Atlas House Unit 9 Bedwas Business Park Bedwas Caerphilly CF83 8DU	Erect industrial storage unit Land Between Units 4 & 10 Bedwas Business Centre Bedwas House Industrial Estate Bedwas Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The site is located on the Bedwas Business Park between units 4 and 10. To the rear of the site is a residential mobile home development.

Site description: The site comprises a vacant area of grassed land between Units 4 and 10 on the Bedwas Business Park. The site frontage is at the same ground level as the front access road but the ground then rises to form a mound and then falls to the rear of the site. The difference in levels between the site frontage and the rear boundary is around 1 metre.

Development: Full planning permission is sought in respect of the construction of an industrial storage building for the storage of non-hazardous lubricants. The location and design of the building has been amended from that originally submitted in order to address the local planning authority's concerns regarding the impact of the development upon the amenity of the neighbouring residential development at The Conifers to the rear of the site. In this respect the building has been brought further forward within the site and includes a lower roof section on the rear elevation. In addition planting of a hedgerow is proposed along the rear embankment in order to soften the impact of the development in terms of visual amenity.

Dimensions: The footprint of the building measures 22m in width and 10m in depth. The maximum height of the building is 7m but a rear element of the proposed building has a reduced height of 4m.

Materials: Profiled cladding sheets in goosewing grey with goosewing grey roller shutter door and Solent Blue aluminium gutters and grey downpipes.

Ancillary development, e.g. parking: Six parking spaces are proposed at the eastern end of the site.

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PLANNING HISTORY

No previous planning history.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: SP5 - within the settlement boundary and within the Bedwas House, Bedwas protected secondary employment site as identified by Policy EM2.33.

Policies:

SP3 - Development Strategy in the Southern Connections Corridor, SP6 - Place making, SP21 - Parking Standards.

Countrywide Policies

Policy CW2 - Amenity, CW3 - Design considerations - highways, CW13 - Use Class restrictions - Business and Industry and CW15 - General locational constraints.

NATIONAL POLICY

Planning Policy Wales, 7th Edition, July 2014, TAN 12 - Design, TAN 18 – Transport.

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 planning application.

CONSULTATION

Transportation Engineering Manager - Has no objection to the development subject to conditions being attached to any consent in respect of parking provision and operational space. He also provides a note to be conveyed to the developer regarding the formation of a vehicular crossover.

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Head Of Public Protection - No objection subject to standard contamination conditions being attached to any consent together with a condition restricting hours of operation and outside storage.

Countryside And Landscape Services - Requests a condition is attached to any consent requiring bird breeding provision in the new unit as a biodiversity enhancement. A Bird Advisory Note is also provided to be conveyed to the developer.

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

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and 15 neighbouring properties have been consulted.

Response: Three in respect of the original development but none in respect of the revised development.

Summary of observations:

In respect of the original design submitted, concerns were raised regarding the close proximity of the unit to the residential bungalows at The Conifers, loss of light and outlook, noise pollution currently experienced particularly from the loading and unloading of skips will be exacerbated, light pollution from both delivery vehicles/lorries and buildings, depreciation in value of home, flying debris from industrial estate, will prevent quiet enjoyment of gardens by neighbouring bungalows, which were developed for people over 55 years of age.

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.

Is this development Community Infrastructure Levy liable? Yes, but it is not chargeable in respect of this type of development.

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ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance. The main issues in the determination of this application are considered to be in terms of design, amenity and highway safety.

Policy SP6 - Placemaking of the LDP considers that development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment, and its special features through amongst other things, an efficient use of land, a high standard of design and a location and layout that reflects sustainable transport and accessibility principles and provides full, easy and safe access for all. The site is located on The Bedwas House protected secondary employment site as identified by Policy EM2.33 of the LDP and as such development will be permitted if it is within use class B1, B2, B8, or an appropriate sui generis use, to provide an ancillary facility or service to the primary employment use or an acceptable commercial service unrelated to Class B uses in accordance with Policy CW13 of the LDP. The stated proposed use of the building is for the storage of non-hazardous lubricants, which is a B8 use in planning terms and is in accordance with Policy CW13.

The design, form and external materials used in the proposed building is similar to other industrial units on the estate and is entirely in keeping with the industrial character and context and as such is in accordance with Policy SP6 of the LDP. The unit is located within the settlement boundary for Bedwas on an established industrial estate and is proposed between two existing units on the industrial estate with access provided directly off the adopted highway. Consequently, it is considered the site is in a sustainable location, both vehicle and pedestrian access is easy and safe for all and as such the development is in accordance with Policy SP6 of the LDP.

Policy CW2 of the LDP considers amenity issues. In this respect regard has to be given to the impact the development will have upon the privacy and amenity of the occupiers of neighbouring properties, particularly plots 2, 3 and 4 The Conifers located to the rear of the site. Objections were raised in respect of the original development, concerned that the close proximity of the building would be overbearing resulting in loss of light and their privacy and amenity being adversely affected. The distance between the rear elevation of Plot 4 The Conifers, (the nearest dwelling to the site) and the proposed building is 7.6 metres. The orientation of the bungalow is north facing and as such the rear of the property has the potential to be overshadowed by the proposed building.

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The developer has aimed to address these issues by siting the proposed building further to the front of the site, further away from the properties and redesigning the building by reducing the height of the rear roof slope for a length of 11 metres, where it is immediately adjacent, particularly, to the rear boundary of Plot 4 The Conifers. The revised proposal also includes the planting of a hedgerow on the embankment to the rear of the site in order to provide an element of screening of the development. In this respect it is considered the building together with the planting will provide a screen to any activity occurring on the industrial estate and to the front of the building and as such issues of nuisance from lights from vehicles should be addressed.

Given the longstanding authorised industrial use of the site subject of this application, it is considered that residents of neighbouring dwellings will already experience an element of harm as a result of the industrial and commercial activities associated with an industrial estate. In this respect consideration has to be given to whether the proposed storage building would significantly increase the harm that may already be experienced. This Council's Head of Public Protection has raised no objection to the development subject to conditions being attached to any consent restricting hours of operation to between 7am and 5pm Monday to Friday as per their application, including deliveries; there being no external storage and that the unit can only be used for the storage of non-hazardous substances. In addition it is considered appropriate to attach conditions to any consent that no other openings are permitted in the building other than those indicated on the approved plan, no external plant to be fitted to the building and the use of the building to be restricted to a B8 storage use only and finally a landscaping plan be submitted for consideration and approval in writing with the Local Planning Authority. It is considered the modifications made to the original proposals together with the conditions referred to above will address the concerns raised by residents in terms of amenity issues. The storage of hazardous substances is controlled by other legislation and it would not be appropriate to impose a condition in that respect.

The objection raised regarding the devaluation of property is not a planning matter.

Policy CW3 of the LDP considers highway issues and objections have been raised that the proposed development will result in an increase in traffic to the detriment of highway safety. In this respect the Group Manager (Transportation and Highways) has raised no objection to the development subject to conditions being attached to any consent in respect of the provision and retention of operational space and parking provision.

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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: See above.

Other material considerations: None.

In conclusion, it is considered the proposed development does not conflict with local plan policies or national planning guidance and subject to the imposition of appropriate conditions is acceptable in planning terms.

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 premises shall only be used for B8 purposes as defined by the Town and Country Planning (Use Classes) Order 1987, or as defined by any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification, without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.
- 03) No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times 7.00am and 5.00pm Monday to Friday.
REASON: In the interests of residential amenity.
- 04) No goods, materials, plant or machinery shall be stored outside the building hereby approved without the prior written agreement of the Local Planning Authority.
REASON: In the interests of the amenity of the area.
- 05) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) with or without modification, no windows or other openings, other than those expressly authorised by this permission, shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.

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- 06) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the new unit at Bedwas Business Centre, Bedwas shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new unit hereby approved is first occupied.
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 07) Prior to the commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.
REASON: In the interests of residential amenity.
- 08) Prior to the commencement of development, details of the hedgerow to be planted along the rear, northern boundary of the site shall be submitted for consideration and approval in writing with the Local Planning Authority. The scheme shall include details of the size and species of plants to be planted. The agreed details shall be implemented in the first planting and seeding season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
REASON: In the interests of visual amenity.
- 09) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.
- 10) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.

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- 11) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 12) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 13) The proposed parking area shall be completed in materials, details of which shall be submitted for consideration and approval in writing with the Local Planning Authority, to ensure loose stones or mud etc are not carried on to the public highway.
REASON: In the interests of highway safety.
- 14) Rainwater run-off shall not discharge into the highway surface-water drainage system.
REASON: In the interests of highway safety.
- 15) The area fronting Units 4 and 10 shall be kept free of obstruction at all times to be used as operational space for both units, in order to facilitate deliveries and stock movements and for no other purpose.
REASON: In the interests of highway safety.
- 16) Prior to the commencement of works on site a scheme of land drainage 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 they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 17) The development hereby approved relates to the details received on 12th June 2015, drawing no: BBP01 revised scheme by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.

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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, CW3.

The applicant is advised of the comments of the Transportation Engineering Manager, Council's Ecologist and Senior Engineer (Land Drainage).

