

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0613/FULL 05.08.2016	Ms L Cochrane Pencwuarra Farm Bedwellty Road Markham Blackwood NP12 0PP	Convert existing water tank into single residential dwelling Markham Reservoir Tank Commin Road Markham Blackwood

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application site is located on Commin Road, Markham.

Site description: Existing reservoir water tank.

Development: Conversion of water tank to residential dwelling.

Dimensions: The existing building is 5.6 metres in height, and a footprint measuring 18.2 metres x 18.2 metres.

Materials: Powder coated aluminium, cedar cladding.

Ancillary development, e.g. parking: Off-street parking for at least 3 vehicles.

### PLANNING HISTORY 2005 TO PRESENT

None.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located outside the Settlement Boundary.

Policies: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW15 (General Locational Constraints), CW20 (Locational Constraints: Conversion, Extension and Replacement of Buildings in the Countryside).

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Planning Application 16/0613/FULL Continued

Supplementary Planning Guidance LDP 5: Car Parking Standards, Supplementary Planning Guidance LDP 10: Buildings in the countryside.

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 6: Planning for Sustainable Rural Communities, Technical Advice Note 12: Design.

### 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? No.

### CONSULTATION

Transportation Engineering Manager - No objection subject to condition.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - Provides advice to the developer and requests a condition relating to land drainage. However, given the isolated location for the dwelling and the surrounding countryside, this is not considered necessary as the proposal is not introducing a new building and therefore the run-off will remain similar to the present situation.

Countryside And Landscape Services - Raises concern to the proposed development based on its prominent location within the landscape. Recommends conditions if Officers are minded to recommend approval relating to external materials, boundary treatments and sources of lighting.

Strategic & Development Plans - Object to the proposed development on the basis that it is located outside of the defined settlement boundary.

Dwr Cymru - Provides advice to the developer.

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Planning Application 16/0613/FULL Continued.

### ADVERTISEMENT

Extent of advertisement: One neighbour was consulted by way of letter and a site notice was displayed near the application site.

Response: None.

Summary of observations: Not applicable.

### 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?  
Crime and disorder are not considered to be an issue for this application.

### 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

Is this development Community Infrastructure Levy liable? Yes. However the application site is located in the £0 CIL zone and therefore no CIL is payable in this instance.

### ANALYSIS

Policies: The main policies of relevance in the Adopted Caerphilly Local Development Plan are Policy CW2 (Amenity), CW3 (Design Considerations - Highways), and as the application building is located outside the Settlement Boundary, CW20 (Locational Constraints - Conversion, Extension and Replacement of Buildings in the Countryside).

Turning firstly to Policy CW20, it states that the conversion of a building outside settlement boundaries will be permitted where:

- i. The building is not makeshift in nature and is of permanent, substantial construction, and
- ii. The building is structurally sound and capable of conversion or rehabilitation without major alteration or reconstruction;
- iii. The building is capable of accommodating the proposed use without materially changing its existing character;
- iv. The development does not result in the domestication or urbanisation of an otherwise rural setting or the unacceptable loss of undeveloped countryside.

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## Planning Application 16/0613/FULL Continued

It is clear that the application building satisfies Criterion (i) due to its permanent, substantial construction. In relation to Criterion (ii) whilst no structural engineers report has been submitted with the application, given the unique nature of the application building it is extremely unlikely that if the building wasn't structurally sound, the applicant would pursue the conversion.

Criterion (iii) is of particular importance in this instance. Whilst it is acknowledged that the Reservoir tank is unique in terms of its external appearance, the proposal should still pay due regard to maintaining the existing character of the structure. Of particular importance is the elevation facing the road, i.e. facing east. The submitted plans show a relatively small amount of alteration in terms of the industrial appearance of the building, with the exception of a single full height vent and limited wood cladding. The garage doors are roller shutter and subject to condition to control their finishes will maintain the external appearance. The north-west and south-east elevation have also been designed with limited detailing to maintain the original appearance of the tank. The majority of new openings, detailing and new materials are included on the front elevation, i.e. the south-west facing elevation. This includes a large amount of glazing and wooden cladding. Given the efforts to maintain the industrial appearance of the building of the other three elevations, these additions are considered acceptable, and necessary to facilitate good living conditions for future occupiers.

In terms of the fourth criterion set out above, i.e. the development resulting in the domestication or urbanisation of an otherwise rural setting, it is noted that the site location plan that accompanies the application shows a very large curtilage, i.e. approximately 60 metres x 60 metres in a triangular shape. This is considered excessive in terms of a residential curtilage for such a rural conversion. Therefore a condition will be attached to the permission requiring an amended plan showing a tighter residential curtilage to satisfy the above policy. Such a curtilage will be delineated by an agreed boundary treatment (also to be agreed by way of condition).

Policy CW2 relates Amenity and states that development proposals must have regard for all relevant material planning considerations in order to satisfy the following requirements:

- A. There is no unacceptable impact on the amenity of adjacent properties or land;
- B. The proposal would not result in over development of the site and/or its surroundings;
- C. The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use;
- D. Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

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Planning Application 16/0613/FULL Continued

Given the isolated location of the structure, coupled with the considerations above in relation to Policy CW20, it is not considered that the proposal is contrary to this policy.

Policy CW3 relates to Highway safety and parking provision. The plans indicate that the existing access will be utilised and appropriate off-street parking is clearly achievable within the confines of the site.

Several conditions will be attached to the planning permission to ensure the proposal integrates with the surrounding countryside in as sensitive a manner as reasonable.

Comments from Consultees: The Transportation Engineering Manager raises no objection subject to conditions.

The Head of Public Protection raises no objection subject to condition.

The Council's Ecologist requests several conditions relating to biodiversity. However given the nature of the existing site these conditions are not considered necessary.

Welsh Water provides advice to the developer.

Comments from public: None.

Other material considerations: Technical Advice Note 1 and the Council's lack of a 5 year housing land supply are a material planning consideration. Whilst the proposal will only increase the number of dwellings in the County Borough by one, this is still a contribution that should not be discounted.

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) Notwithstanding the submitted site location plan, prior to the commencement of works on site, amended details shall be submitted to the Local Planning Authority for their written approval showing a smaller curtilage to serve the dwelling hereby approved. The development shall be carried out in accordance with the agreed details.  
REASON: In the interests of visual amenity and to prevent the urbanisation of an otherwise rural setting.

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Planning Application 16/0613/FULL Continued

- 03) 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 enlargement of the dwelling hereby approved shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of residential amenity.
- 04) 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 dormer windows, 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.
- 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 building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwelling house as such shall be constructed without the approval of the Local Planning Authority.  
REASON: In the interests of amenity.
- 06) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order) with or without modification, no fences, gates, walls, hedges or other means of enclosure whatsoever shall be erected or planted without the approval of the Local Planning Authority other than those indicated on the approved plans.  
REASON: To retain the open character of the development in the interests of visual amenity.
- 07) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 08) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garage hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garage shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.  
REASON: In the interests of highway safety.

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Planning Application 16/0613/FULL Continued

- 09) The driveway to serve the proposed development shall be not less than 3.65 metres wide and shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and be completed prior to the first occupation of the development hereby approved.  
REASON: In the interests of highway safety.
- 10) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of the visual amenity of the area.
- 11) The building shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans.  
REASON: In the interests of highway safety.
- 12) The development shall be carried out in accordance with the following approved plans and documents:  
Project No: CCL/P/160204, Drawing No: 160204/AR/PL/212, Revision: P01, First Floor Plan - Proposed, received 15.07.2016;  
Project No: CCL/P/160204, Drawing No: 160204/AR/PL/211, Revision: P01, Ground Floor Plan - Proposed, received 15.07.2016;  
Project No: CCL/P/160204, Drawing No: 160204/AR/PL/221, Revision: P00, Elevations - Existing & Proposed, received 15.07.2016;  
Project No: CCL/P/160204, Drawing No: 160204/AR/PL/201, Revision: P00, Site Plan - Proposed, received 15.07.2016;  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 13) Prior to the commencement of development details of the lighting of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried in accordance with the agreed scheme.  
REASON: In the interests of visual 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: CW2 and CW3.

