

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0073/RET 12.03.2018	Mr M Pearcey C/o C2J Architects & Town Planners Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Retain the change of use from B1/B2/B8 use to car sales and tyre sales Unit 1 Nant Court Glenview Terrace Llanbradach Caerphilly CF83 3RX

**APPLICATION TYPE:** Retain Development Already Carried Out

### SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of Glenview Terrace.

Site description: The application site is a former petrol filling station with associated vehicle repair garage that has now been subdivided to provide a tyre fitting business and associated yard to the front with two separate repair garages to the rear. This application only relates to the tyre fitting business and associated yard area to the front of the site and includes a single storey building that formerly housed the kiosk for the filling station, the front forecourt and the yard in the southern part of the site. The site was previously used for an unauthorised hand car wash. There are residential properties to the south and west of the site with a road to the west and grazing pasture to the north.

Development: The application seeks full planning consent for the retention of the change of use of the land to the tyre fitting business together with the change of use of the yard to a car sales area. The submitted plans show one tyre fitting bay within the building, a loading area on the forecourt in front of the building, six car sales display spaces on the western boundary of the yard adjacent to the highway and three visitor parking spaces to the south of the building.

### PLANNING HISTORY 2005 TO PRESENT

13/0674/RET - Retain change of use from petrol filling station to hand car wash - Refused 02.04.15.

### POLICY

Local Development Plan: Within settlement limits.

Cont....

Application No. 18/0073/RET Continued

### Policies

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

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

Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

National Policy: Planning Policy Wales;

Para 4.11.9 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.

Para 7.6.3 Employment and residential uses can be compatible and local planning authorities should have regard to the proximity and compatibility of proposed residential development adjacent to existing industrial and commercial uses to ensure that both amenity and economic development opportunities are not unduly compromised.

National Planning Guidance contained in 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? Not applicable.

### CONSULTATION

Transportation Engineering Manager – No objections subject to conditions controlling the use of the parking spaces.

Head Of Public Protection - No objection subject to a condition in respect of collection of waste.

Cont....

Application No. 18/0073/RET Continued

Principal Valuer - This application includes land owned by CCBC. The area should be removed from the application site red line boundary.

Natural Resources Wales - Raises no objection but provides advice to be conveyed to the developer.

Llanbradach & Pwllpant Community Council - Raise objection in respect of the over development of the site.

### ADVERTISEMENT

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

Response: None.

Summary of observations: None.

### 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.

Is this development Community Infrastructure Levy liable? No.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application seeks full planning consent to change the use of a site that has a lawful B2 use to a mixed use of B2 and car sales. The proposed use is very similar in terms of its planning characteristics to the lawful use and indeed some of the activities to be carried out were carried out in the former use. In that regard it is not felt that the proposed use would have any detrimental impact on the amenity of the area and as such complies with Policy CW2 of the Local Development Plan.

Cont....

Application No. 18/0073/RET Continued

The main concerns with this site relate to the highways impacts of the activities that are carried out from the wider site including the two garages at the rear. At present there is a proliferation of on-street parking along Glenview Terrace of vehicles from the wider site. This has caused highway safety issues in the past and it does have a detrimental impact on the visual amenity of the area. However, the Local Planning Authority has to consider whether the proposed uses can be accommodated on the application site with regard to the space that is available within the site. In that regard the submitted plans show space for six vehicles to be displayed for sale and for one vehicle to be fitted with tyres at any one time. Parking for the car sales and the tyre fitting is to be shared with a total of three customer spaces to be provided. A loading area is also proposed to the front of the tyre fitting area for deliveries to be carried out at the site.

The applicant has confirmed that the car sales is a secondary arm of the business which would be primarily internet based. The small number of bays would be for storage with a small amount of passing trade. All cars are brought to the site by the applicant or on limited occasions would be delivered by a flatbed pick-up truck.

On the basis of the above and subject to the imposition of conditions to control the activities on the site it is considered that the application site is able to accommodate the uses proposed without having a detrimental impact on the character of the area or on highway safety. In that regard the proposal complies with Policy CW3 of the Local Development Plan.

Comments from Consultees: With regard to the suggestion by the community council that the proposal represents over development of the site, it is considered that it is evidenced above that the site can accommodate the proposed uses and as such it does not represent over development of the site. No other objections raised.

Comments from public: Whilst no objections were raised by residents' concerns were brought to the attention of the Local Planning Authority by the local member in respect of the ongoing parking issues on Glenview Terrace. These are matters for the Highway Authority to deal with and it is understood that consideration is being given to introducing traffic orders in the area in order to prevent on-street parking. These issues are not material planning considerations and as such they have no bearing on the determination of this application.

Other material considerations: Given the lawful use of the application site and the wider site as a whole for B2 purposes without any controls over hours of operation, it would not be possible to impose any conditions in that regard in this instance. As such any issues with regard to noise nuisance would have to be dealt with through the Public Health legislation.

In conclusion it is considered that the proposal is acceptable in planning terms subject to the imposition of suitable conditions.

Cont....

Application No. 18/0073/RET Continued

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 shall be carried out in accordance with the following approved plans and documents: AL(90)01 Rev C and EX001 Rev A.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 02) The development shall at all times be operated in accordance with the site layout plan AL(90)01 Rev C and no vehicles shall be displayed for sale on any part of the site other than on that identified for that purpose.  
REASON: In the interests of highway safety.
- 03) The areas indicated on the approved plan for visitor parking and loading area shall be kept available as such at all times and shall not be used for any other purpose.  
REASON: In the interests of highway safety.

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.

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.

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

---

