

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/1038/COU 18.12.2018	RVAC Committee C/o Mr H Butts 13 Cae Canol Hengoed CF82 7RU	Change the use to athletics skills, strength and conditioning centre including administration, spectator viewing and refreshment facilities Unit 2A And 2B Block C Newbridge Road Industrial Estate Pontllanfraith Blackwood NP12 2XF

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The application site is located on the southern side of Block C, Newbridge Road Industrial Estate, Pontllanfraith.

Site description: Two vacant industrial units located close to the entrance of Block C with dedicated parking facilities.

Development: Full planning permission is sought for the conversion of two industrial units into one unit, for the provision of an athletics skills, strength and conditioning centre. The proposed operational hours would be weekdays between 6pm and 11pm, and from 8am to 11pm during the weekends.

Dimensions: No external extensions proposed, however the resulting unit measures 23.6m wide by 21.4m deep. The proposed mezzanine level will measure 17.4m by 4.7m and within this, the proposed refreshment area measures 5.28sqm.

Materials: One of the three roller shutter doors will be replaced with uPVC glazing.

Ancillary development, e.g. parking: The proposal includes an administration office, spectator viewing and refreshment facilities area.

PLANNING HISTORY 2005 TO PRESENT

None.

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Application No: 18/1038/COU Cont'd

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site is located within settlement limits of Blackwood and is allocated as part of EM2.20 Newbridge Road Industrial Site (Secondary Employment site).

Policies: SP6 (Place Making) SP5 (Settlement Limits), SP16 (Managing Employment Growth), CW2 (Amenity), CW3 (Design Considerations: Highways), CW13 (Use Class Restrictions: Business and Industry) and advice contained within supplementary planning guidance LDP5: Car Parking Standards.

Policy SP5 (Settlement Boundaries) are defined in order to indicate where development would normally be allowed, taking into account material planning considerations, promote the full and effective use of urban land and thus concentrate development within settlements; to prevent coalescence of settlements, ribbon development and fragmented development, and to prevent inappropriate development in the countryside.

Policy SP6 (Place Making) ensures that sustainable places are created and are of an appropriate mix of uses that reflect the role and function of settlements, is of a high standard of design that reinforces attractive qualities of local distinctiveness.

Policy SP16 (Managing Economic Growth) allocates land for employment use in the county borough, providing sufficient employment opportunities.

Policy CW2 (Amenity) ensures that development proposals have regard for all relevant material planning considerations to ensure that there is no unacceptable impact on the amenity of adjacent properties or land; the proposal would not lead to overdevelopment; and that the development would be compatible with the surrounding land uses.

Policy CW3 (Design Considerations - Highways), requires developments to ensure that the appropriate car parking standards are adhered to and that the design, layout and proposed materials will not have a detrimental impact on the highway network or highway safety.

Policy CW13 (Use Class Restrictions - Business and Industry) states that development on secondary employment sites will only be permitted where it is within a B1, B2 or B8 use class, an acceptable 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.

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Application No: 18/1038/COU Cont'd

NATIONAL POLICY Planning Policy Wales (10th Edition) (PPW 10), Technical Advice Note 16: Sport, Recreation and Leisure (2009) (TAN 16) and Technical Advice Note 23: Economic Development (2014) (TAN 23).

Paragraph 4.5.2 of PPW 10 states

'Planning authorities should provide a framework for well-located, good quality sport, recreational and leisure facilities, and develop clear policies for the provision, protection and enhancement of sport, recreation and leisure facilities. These policies should set standards of provision, so that local deficiencies can be identified and met through the planning process, and set out policies to avoid or resolve conflict between different activities.'

Paragraph 5.4.14 of PPW 10 states

'Development policies and Supplementary Planning Guidance (SPG) should support mixed use developments, including flexible live/work units and commercial premises, where these are appropriate.'

TAN 16 notes

"By encouraging healthier lifestyles, the Assembly Government hopes to improve the health and well-being of people in Wales, including older people, those with disabilities, children and young people. It aims to address health inequalities by encouraging everyone to adopt healthier lifestyles and ensuring access to local services, including the encouragement of cycling and walking. Young people's recreational needs are a priority, improving levels of physical activity and access to facilities in and outside schools. The Assembly Government recognises the critical importance of play for the development of children's physical, social, mental, emotional and creative skills. It also recognises that providing opportunities for physical activity can help address wider health and well-being issues, particularly obesity, and that the closer a play area is to home, the more likely it is to be used by children" (Paragraphs 1.8 and 1.9).

TAN 23 Economic Development states

"Planning Policy Wales (PPW) defines economic development broadly so that it can include any form of development that generates wealth, jobs and income. In producing development plans or determining planning applications local planning authorities need to bear in mind that traditional business use, classes B1-B8, only account for part of the activity in the economy. It is important that the planning system recognises the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations" (paragraph 1.1.1).

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Application No: 18/1038/COU Cont'd

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not applicable for this type of application.

CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No objections, however with regards to the operational hours, noise from crowds, whistle noise, music etc. may cause an issue within the later hours of the evening as the building fabric could act as an amplifier so they would need to be mindful of this.

With regards to the refreshments facility, no objections raised however would advise that the applicant make contact with our food, health and safety team at the earliest possible convenience to ensure that any kitchen/sanitary facilities installed are fully compliant with current legislation.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of site notice and letters to the nearby six properties.

Response: At the time of writing the report, no responses had been received. Please note that the site notice does not expire until the 28/01/2019 and as such, the decision notice will not be issued until after that date. Should any material objections be submitted in the intervening period, the application will be reported back to committee before a decision is made.

Summary of observations: No responses received.

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 issues in the determination of this application.

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Application No: 18/1038/COU Cont'd

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No, as the proposed change of use is not CIL liable and the proposed refreshment facility is ancillary to the main unit and will not be open to the general public.

ANALYSIS

This application has been put forward before Planning Committee as a number of the Rhymney Valley Athletics Club members are also Council Employees, or are related to Council Employees.

Policies: This application has been considered in accordance with National policy and guidance, Local Plan policies and Supplementary Planning Guidance. The main considerations in the determination of this application are whether the proposed change of use is acceptable in policy terms and whether there would be any adverse impacts to highway safety in terms of car parking.

Newbridge Road Industrial Estate (EM2.20) is designated as a Secondary Employment Site within the Adopted LDP. Within Secondary Employment Sites, policy CW13 (c) notes that development proposals will be subject to the following restrictions:

- "i) within use classes B1, B2 or B8
- ii) an appropriate sui generis use
- iii) to provide an ancillary facility or service to the primary employment use
- iv) an acceptable commercial service unrelated to class B uses"

The reasoned justification for policy CW13 notes that a 'commercial service unrelated to use class B which might be considered acceptable would include indoor health, fitness and play facilities, training facilities, day nurseries and a commercial and vehicle maintenance business'. The proposal falls within this definition and as such, the application complies with policy CW13.

Cont'd

Application No: 18/1038/COU Cont'd

With regards to the impact that the application will have on highway safety, no objections are raised by the Transportation and Engineering Manager given the additional information provided states that the operational hours proposed are weekdays between 6pm to 11pm, and 8am to 11pm at weekends. In terms of the potential noise impact, as the site is not in close proximity to residential properties, no concerns are raised by Environmental Health with regards to the operational hours. The application therefore accords with policy CW3 (Design Considerations - Highways) and CW2 (Amenity) respectively.

With regards to the refreshment facilities provided, it is necessary to restrict the size of the refreshment area so that it remains ancillary to the training facility.

The application is recommended for approval, subject to conditions.

Comments from Consultees: These are included in the above report.

Comments from public: At the time of writing this report, no representations have been received. Members should be aware that whilst the neighbour letters consultation has expired, the site notice does not expire until after Planning Committee. As all neighbours have been consulted and no issues raised, it is unlikely that any issues will come forward. Any comments received will be reported verbally to Planning Committee. Committee should be mindful that if any material representations are received after Planning Committee that are not addressed in the above report, the application will be reported back to committee.

Other material considerations: None.

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 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.

Cont'd

Application No: 18/1038/COU Cont'd

- 02) The development shall be carried out in accordance with the following approved plans and documents:
- Site Location Plan received 04/05/2018;
 - Block Plan indicating Parking received 19/12/2018;
 - Drawing showing Proposed Front Elevation received 04/12/2018;
 - Drawing showing Proposed Ground Floor Plan received 04/12/2018;
 - Drawing showing Proposed Mezzanine Plan received 04/12/2018; and
 - Email detailing operational hours received 09/01/2019.
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The proposed refreshments facility hereby approved shall be ancillary to the use hereby approved and limited to the size shown on the Proposed Mezzanine Plan received 04/12/2018 and shall be for the use of the Rhymney Valley Athletics Club members only.
- REASON: To retain effective control of the facility in accordance with policy CW13 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

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: CW13.

Please find below the comments of the Council's Head of Public Protection that are brought to the applicant's attention.

