

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0569/RET 18.08.2014	Mr D Gore Glan-y-nant House Stanley Street Blackwood NP12 1PT	Retain and complete partially constructed detached garage Land At Garage Workshop Hillside Terrace Blackwood NP12 1PT

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

### SITE AND DEVELOPMENT

Location: The application site is located on the lane to the rear of Stanley Street, Blackwood.

Development: Retention/completion of detached garage.

Dimensions: The garage measures 11.4 metres in length, 4.0 metres in width, with a maximum height of 3.8 metres to ridge level.

Materials: Render walls and concrete roof tiles.

Ancillary development, e.g. parking: None is proposed.

### PLANNING HISTORY

2/08983 - Conversion to Office - Refused 30.01.90.

P/05/1025 - Erect detached garage - Granted 13.03.06.

11/0354/FULL - Erect detached garage - Granted 04.08.11.

11/0359/FULL - Carry out works to rebuild/repair garage/workshop - Granted 04.08.11.

### POLICY

#### LOCAL DEVELOPMENT PLAN:

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

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Policies: Policy CW2 (Amenity), CW3 (Design Considerations - Highways) and guidance contained within Supplementary Planning Guidance LDP7: Householder Development (November 2010).

NATIONAL POLICY: Planning Policy Wales and TAN12 (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? Any coal mining issues will be controlled by way of the Building Regulations if appropriate.

### CONSULTATION

Transportation Engineering Manager - No objection subject to conditions.

Principal Valuer - No comments.

### ADVERTISEMENT

Extent of advertisement: Twelve neighbouring properties were consulted and a site notice displayed near the application site.

Response: Two letters of objection were received.

Summary of observations: - Concern that the applicant has applied to retain development on several occasions in the past as opposed to constructing what originally had planning permission.  
- Overall height of structure.

### 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.

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## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

## ANALYSIS

Policies: The application is for the retention of a garage originally approved under planning reference 11/0354/FULL. The originally approved structure measured 12.6 metres in length, 4.0 metres in width, with a front elevation height of 2.5 metres from ground to roof level at lower lane level, and 3.2 metres from ground to roof level at upper lane level. Given the sloping topography of the site these heights can be increased by 0.8 metres along the rear elevation in each instance.

The current application is to retain and complete the garage as built. The structure now measures 11.3 metres in length (i.e. 1.3 metres shorter than that approved), 4.0 metres in width (i.e. the same as that approved), with a front elevation height of 3.2 metres from ground to roof level at lower lane level (0.7 metres higher than originally approved), and 3.8 metres from ground to roof level at upper lane level (0.6 metres higher than originally approved). Given the sloping topography of the site these heights can be increased by 0.6 metres along the rear elevation in each instance. This difference at the rear elevation is due to the 'new' structure being 1.3 metres shorter.

The proposed development should be assessed in terms of its impact on the visual amenity of the area, as well as its impact on highway safety along the rear lane. In visual terms it is considered that the proposed garage is acceptable in terms of its setting, scale and materials, and incorporates an appropriately mono-pitched roof type. The development is sited along an existing rear lane which is defined by such domestic garage type structures, and therefore it is not considered to be out of keeping with its surroundings subject to a condition ensuring it is completed in appropriate external finishes.

In light of the domestic nature of the rear lane, a condition preventing the use of the garage for the parking of commercial and business vehicles will be attached to the permission to control use of the development. The possible impact on highway safety has been assessed by the Transportation Engineering Manager, who considers the imposition of suitable conditions will overcome any impact on highway safety.

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Comments from Consultees: Transportation Engineering Manager raises no objection to the proposed development subject to condition.

Comments from public: Concern that the applicant has applied to retain development on several occasions in the past as opposed to constructing what originally had planning permission - Notwithstanding that the garage has not been built in accordance with the originally approved plans (Ref: 11/0354/FULL), the application should be determined on materials planning considerations and its own merits.

Overall height of structure - Given the difference in levels between the upper and lower lane, as well as the structure having little impact on the outlook from the properties along Stanley Street, the height of the building is considered acceptable.

Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used 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.
- 02) Notwithstanding the submitted plans, prior to further construction work being carried out on site full engineering details and structural calculations for the proposed retaining walls, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose shall be submitted to and approved by the Local Planning Authority. Following construction of the approved retaining walls, additional certification from an independent chartered civil or structural engineer confirming that the works have been constructed in an appropriate manner and that they are physically fit for their intended purpose shall be supplied to the Local Planning Authority prior to beneficial occupation of the approved development.  
REASON: In the interests of highway safety.
- 03) The required garage entrance apron shall be constructed in materials, as approved in writing by the Local Planning Authority, before the garage is brought into beneficial use.  
REASON: In the interests of highway safety.

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- 04) Prior to its first use the proposed access to the garage shall be completed in materials as agreed 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.
- 05) The garage hereby approved shall not be used for any commercial or business purpose.  
REASON: To retain effective control over the development.
- 06) Prior to its first use the garage, sited as shown on the submitted plan, shall be fitted with inward-opening doors or roller shutter, which will not open out over the highway.  
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: Policy CW2 and CW3.

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