

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0069/FULL 09.02.2015	Mr S Rees 73 Cardiff Road Caerphilly CF83 1FP	Construct a third floor extension to accommodate an additional one bedroom dwelling unit with mixed retail/business use to ground floor 73 Cardiff Road Caerphilly CF83 1FP

**APPLICATION TYPE:** Full Application

**SITE AND DEVELOPMENT**

Location: The application property is situated on the junction of Cardiff Road with Pentrebanne Street.

Site description: The application property is a three-storey building which is originally of Edwardian design but which now has a modern retail frontage to Cardiff Road. The ground floor of the property is situated at the back edge of the pavement to the front with the first and second floors being set back with a flat roof above the ground floor. The building is currently in a mixed use of retail to the ground floor and first floor with residential to the second floor and it is finished in a mixture of replica bathstone and face brickwork. The building currently has a hipped apex roof that is partially hidden behind a parapet wall. There is no additional land associated with the building. The building is situated within the principle retail area within Caerphilly, with retail premises to the ground floor of the majority of the surrounding buildings, many of which have either storage or residential accommodation at first floor level.

Development: The application seeks consent for internal alterations to the building in order to change the use of part of the building and the erection of an extension to create a third floor. The internal alterations will create a smaller retail space to the ground floor with two new offices, and one two bedroom flat to each of the first and second floors. An additional one bedroom flat will be created on the third floor. The first floor extension will include a new roof terrace on the flat roof above the ground floor with a glazed handrail to the edge.

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The extension to the third floor will be a timber clad structure with a shallow pitched monopitch roof and a new roof terrace will also be created to the front. The flat will have windows to the Cardiff Road and Pentrebane Street elevations and also on the elevation facing the roof tops of the properties to the north.

Dimensions: The extension measures 13m by 3.8m by 2.7m high.

Materials: Timber cladding with a textile membrane roof. The windows to the host building will be timber casement windows with aluminium windows to the extension.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY

06/0665/FULL - Create a new mixed development containing town centre retail units, offices, residential apartments with a related health club and a public library facility - Granted 20.08.07.

13/0722/COU - Convert first and second floor shop premises into two, two-bedroom apartments - Granted 16.04.14.

### POLICY

#### Site Allocation

Local Development Plan: Within settlement limits.

#### Policies

Local Development Plan: SP3 (Development Strategy - Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP14 (Total Housing Requirements), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

Guidance Note 1 to the Adopted Supplementary Planning Guidance LDP 7 for Householder Development advises that the purpose of the planning system is to safeguard the existing qualities of buildings and streets and that extensions and alterations should be designed to complement the character of your street or area.

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Guidance Note 2 to the Adopted Supplementary Planning Guidance LDP 7 for Householder Development gives advice on extensions and conservatories.

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2014) states: - "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."

National Planning Guidance contained in Technical Advice Note 12 - Design.

### CONSULTATION

Transportation Engineering Manager - Raises objection to the proposal in the absence of any off street parking facilities.

Head Of Public Protection - Raises no objection subject to conditions.

Dwr Cymru/Welsh Water - No objection.

### 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.

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### 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.

Is this development Community Infrastructure Levy liable? Yes.

### ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main points to consider in the determination of this application are the design of the extension, the impact on highway safety with particular regard for off street car parking and whether the proposed use is compatible with surrounding land uses.

With regard to the first point it is accepted that the proposed extension is significantly different to the host building and the majority of other buildings in Caerphilly Town Centre. However Paragraph 4.11.9 of Planning Policy Wales (2014) states: - "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." Meanwhile Objective 5 of Supplementary Planning Guidance LDP6 Building Better Places to Live states that "Opportunities should be sought to deliver high quality sustainable development that reflects the technologies and aesthetics of the 21st century and creates a strong sense of place." In essence the guidance is stating that development should not merely seek to create a pastiche of the existing development and more modern and innovative ways of developing sites should be considered favourably. In that regard it is considered that the different architectural style and materials of the proposed extension serve to accentuate the difference between it and the host building thereby maintaining and not harming the character of that structure.

With regard to the alterations to the host building including the provision of a new glazed handrail to the first floor roof terrace, it is considered that these are in keeping with its character. As such it is considered that the proposals are acceptable from a design perspective.

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With regard to highway safety it is acknowledged that no off-street car parking will be provided as part of this development and the Transportation Engineering Services Manager has objected on that basis. However, it is felt that this proposal should be considered in light of the property's sustainable location within a Town Centre with easy access to a number of public facilities such as shops, schools, post office, bus and train services. It should also be noted that the lawful use of the property includes retail use to the ground and first floors with residential accommodation to the second floor. Based on this the existing building would require six off street parking spaces. The application proposes a significant reduction in the retail floor space, two new offices, two two-bedroom flats and one one-bedroom flat. Allowing for a reduction in the parking requirements for the location of the property, the proposal requires the provision of five parking spaces. Whilst the Transportation Engineering Services Manager objects as this proposal would lead to no parking spaces for each of the flats contrary to the guidance contained in Supplementary Planning Guidance LDP5 Car Parking Standards, the Local Planning Authority has to balance this against the need to maintain the vitality and viability of this Principal Town Centre. In that regard it is considered that bringing these currently vacant premises back into beneficial use, together with the increased traffic footfall created by the occupiers of both the offices and the flats would serve to meet the aforementioned need. As such it is considered that this outbalances the absence of parking spaces with the development.

With regard to the compatibility of the use it has already been stated that the use of part of the building for residential purposes would help to maintain the vitality and viability of the town centre and it should also be noted that part of the building already has a lawful residential use. However, there have been longstanding issues with regard to noise nuisance in Pentrebane Street as a result of existing lawful uses in that area. In that regard the Head of Public Health and Protection has raised no objection to the proposal subject to a conditions being imposed to require the removal of the bedroom window facing Pentrebane Street. As this bedroom is also served by a door onto the roof terrace and a window facing north it is considered that this is reasonable in this instance.

Comments from consultees: No objections raised.

Comments from public: None.

Other material considerations: In conclusion it is considered that the proposal is acceptable in planning terms subject to the imposition of suitably worded conditions.

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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 approved plans the consent hereby granted shall not extend to the bedroom window in the proposed extension that faces onto Pentrebane Street. Revised details of that elevation shall be submitted for the written approval of the Local Planning Authority prior to works commencing on site. The development shall thereafter be carried out in accordance with the approved details.  
REASON: In the interests of residential amenity.
- 03) Notwithstanding the approved plans a scheme of noise control, including provision for upgraded acoustic glazing to all habitable room windows facing Pentrebane Street, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The development shall thereafter be carried out in accordance with the approved details.  
REASON: In the interests of residential amenity.
- 04) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats in the 3rd floor extension at 73 Cardiff Road, Caerphilly, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the extension hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning policy Wales and Tan 5 Nature Conservation and Planning.

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- 05) 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 3rd floor extension at 73 Cardiff Road, Caerphilly, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the property 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.
- 06) 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.

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 CW4.

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