

| Code No. and Date Received | Name and Address of Applicant | Description and Location of Proposed Development |
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| 13/0005/RM 08.01.2013 | Green Hill Construction Limited Ms C Teachawitwat The Greenhouse Esperanto Way Newport NP19 0RD | Seek approval of the reserved matters regarding access, appearance, landscaping and layout in connection with the residential development approved under planning application 06/0821/OUT Land At Thorncombe Road Blackwood |

APPLICATION TYPE: Approval of Reserved Matters

SITE AND DEVELOPMENT

Location: Fronting the southern side of Thorncombe Road (Duncans Hill), Blackwood.

Site description: The site comprises an undeveloped plot of land in the form of an uneven plateau between a car park fronting High Street at a higher level on the western side and dwellings served by a lane at a lower level on the eastern side. The site is largely to grass with a hedgerow on the eastern (lane) boundary and hedgerow trees on the Thorncombe Road frontage. To the north of the site, on the opposite side of Thorncombe Road, is the pine end of a terraced dwelling fronting David Street, and to the south is Blackwood Gate Retail Park separated from the application site by a narrow strip of land through which a path/steps have been constructed linking the public car park above with the retail park.

Development: Approval of reserved matters is sought for the residential development of the site. The scheme comprises 5 two-storey dwellings (with dormers to the rear elevation) in two blocks on the site frontage, and a three-storey block of 9 flats and a 2.5-storey supported unit containing 8 self-contained bedsits at the rear of the site, backing on to the retail park. The single access road would be sited between the two blocks of dwellings on the frontage and would serve parking areas to either side of the site. The existing site levels would be reduced and the development would be stepped down from west to east with retaining walls.

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Dimensions: Site - 42m wide (E-W dimension) x 70m long (N-S dimension). Block of 3 dwellings - 14.7m wide x 10.2m deep with a height of 9.8m to the ridge. Block of 2 dwellings - 10m square with height of 9.8m to the ridge. Flats - each block of three flats 7.2m wide x 12m deep with a height of 12.5m to the ridge. Supported unit - 12.8m wide x 8m deep with a height of 10.4m to the ridge.

Materials: Dwellings - facing brick, grey roof tiles. Flats - facing brick to ground floor, render to upper floors, grey roof tiles. Supported unit - facing brick with render to upper floors on front and part side elevations, grey roof tiles.

Ancillary development, e.g. parking: The layout incorporates 22 parking spaces - two for each of the dwellings, one for each of the flats and three for the supported unit. The scheme also incorporates small areas of landscaped open space.

PLANNING HISTORY

2/04694 - Erect residential development - Withdrawn 16.08.91.

2/05790 - Erect residential development - Granted 02.01.90.

2/11130 - Erect residential development - Granted 03.07.96.

2/11033 - Erect residential development - Granted 22.07.96.

P/98/0879 - Change the use of land to retail, leisure, restaurant, petrol station and construct roundabout on high street and first part of southern cross valley link - Withdrawn 04.12.97.

06/0821/OUT - Erect residential development - Granted 04.03.10.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site lies within the settlement boundary and is an allocated housing site.

Policies: SP6 (place making), SP10 (conservation of natural heritage), CW2 (amenity), CW3 (design considerations - highways), CW6 (trees, woodland and hedgerow protection) and CW10 (leisure and open space provision).
Supplementary Planning Guidance LDP6: Building Better Places to Live.

NATIONAL POLICY Planning Policy Wales.
Technical Advice Note 12: Design.

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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? The site lies within an area of low risk for which a Coal Mining Risk Assessment is not required. A standard advice letter will be issued to the applicant.

CONSULTATION

Countryside And Landscape Services - Requests conditions regarding vegetation clearance, bat roost and nesting bird provision in the buildings, and the treatment of Japanese Knotweed on the western boundary of the site.

CCBC - Education - No comments received.

Head Of Public Protection - Condition requested requiring acoustic glazing to bedroom windows in the rear (southern) elevations of the flats and supported unit.

Outdoor Leisure Development Officer - Site requires a well-designed open space, and a financial contribution of £900 per property would be required for off-site play facilities on Thorncombe Road and to enhance off-site sports facilities.

Head Of Public Services - Advice given on the areas required for the storage and collection of waste.

Transportation Engineering Manager - No objection subject to conditions regarding the access and parking, and requiring improvements to Thorncombe Road and a residential travel plan to be agreed.

Police Architectural Liaison Officer - Advice given on the security of the development.

Senior Engineer (Land Drainage) - The developer has provided no surface water/land drainage proposals; these must be submitted and approved before development commences. Advice is given with regard to the drainage of the development.

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ADVERTISEMENT

Extent of advertisement: The occupiers of 18 neighbouring properties were notified by letter and the application was advertised by means of press and site notices.

Response: 39 letters/e-mails, representing 34 addresses. Also a petition with 55 signatures representing 36 addresses.

Summary of observations: The site contains tipped material and may be contaminated.

The ground level has been raised by tipping resulting in a development that will have overbearing/overshadowing/overlooking impacts on neighbouring dwellings.

The density of the development is excessive.

The development is out of character with surrounding development in terms of the type of dwelling units, height and materials.

The supported unit may give rise to anti-social behaviour.

The development will give rise to increased traffic, increasing hazards on a route to a primary school and a play area.

The access road and junction with High Street are substandard.

The new access is too close to the existing lane and has limited visibility.

The development provides insufficient off-street parking.

The surface water and foul drainage systems in the area are inadequate.

A watercourse passes through the site.

The development would cause damage to wildlife.

The site has previously been earmarked for public open space.

There is a lack of school places locally.

The construction phase would cause dust and noise nuisance.

Properties locally would be devalued.

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 this case.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

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ANALYSIS

Policies: The principle of the residential development of the site has been established by the grant of outline permission in March 2010 (06/0821/OUT), and the site is allocated for housing in the Council's adopted Local Development Plan (LDP). The current application seeks approval of the matters reserved under the outline permission and can therefore be considered only in terms of matters of detail, e.g. layout, massing, design, parking provision, etc.

The scheme comprises a relatively dense development of 2.5 and 3-storey units, consisting of the following accommodation (this information includes tenure although this is not a material planning consideration):-

5 x 2.5-storey three-bedroom dwellings in two blocks, one either side of the access road. The dwellings are two-storey to the Thorncombe Road frontage with dormers to the rear elevation. The dwellings will be affordable for rent or sale.

9 x flats (6 x two-bedroom, 3 x one-bedroom), in three linked staggered 3-storey blocks at the rear (south-western corner) of the site. The flats will be for rent.

2.5-storey supported unit containing 8 self-contained bedsits at the rear (south-eastern corner) of the site. The unit is to house eight young people aged between 16-24 who are unintentionally homeless. The accommodation would be staffed 24 hours a day and the young people would be trained on how to live independently; some would already be in education or even employment.

In terms of the visual impact of the proposed development, it can be argued that the massing of the blocks particularly in terms of their height would be out of character with adjoining residential development to the north (traditional 2-storey terraced dwellings) and east (two bungalows and a 2-storey dwelling on the opposite side of the lane bounding the site). However, the massing and design of the scheme is considered to be acceptable in its wider context, being a site close to Blackwood town centre and abutting a public car park on higher land to the west and a large-scale retail development to the south, i.e. within a mixed commercial/residential setting. The scheme has been amended by way of a reduction in ground levels and the floor levels of the buildings, resulting in retaining works within the site and along the higher (western) edge of the site and a reduced need for retention along the lower (lane) boundary. On this basis the scheme is considered to be acceptable in visual amenity terms and to be in compliance with LDP Policy SP6 and with local and national guidance relating to matters of design.

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The reduction in ground/floor levels has also had the effect of reducing the impact of the development on existing adjoining dwellings to the north and east of the site. The proposed dwellings on the site frontage would face the pine end of No. 36 David Street. The eastern boundary of the site abuts a lane at a lower level which gives access to six dwellings. Facing the eastern boundary of the site are two bungalows (The Bungalow and Graig Wen) and a two-storey dwelling (Meadow Cottage). The impact of the proposed development on each of these dwellings is considered as follows.

36 David Street - the proposed dwellings on the site frontage would be some 12.5m from the pine end and garden wall of No. 36. There would be some overlooking of the rear garden of No. 36 but since this is across a public highway it is not considered that the loss of amenity would be significant.

The Bungalow - this bungalow fronts Thorncombe Road with a side elevation facing the site; the side elevation contains habitable room windows. While the proposed dwelling on Plot 5 would be some 3m higher at eaves level and some 4.5m higher at ridge level than the adjoining bungalow, the bungalow is set further back from the road frontage and there would be a separation of 16m. For these reasons it is not considered that the development would have an unduly overbearing or overshadowing impact on The Bungalow. The proposed dwelling would have bathroom windows only in the side elevation and, subject to these windows remaining obscure-glazed, it is not considered that the development would impact on the privacy of The Bungalow.

Graig Wen - this bungalow faces the site but would be opposite a parking area behind the boundary hedge on a small embankment. It is thus considered that the development would have little impact on the residential amenity of this property.

Meadow Cottage - the side elevation of the proposed 2.5-storey supported accommodation block would be some 8m from the blank pine end of the dwelling, separated by the lane and hedgerow. The eaves level of the unit would be some 4m higher than that of the dwelling, and the ridge level some 5m higher. However, the front and rear building lines of the two would be in line and it is not considered that the supported unit would therefore have any significant impacts on the amenity of the dwelling.

Considering the development as a whole, therefore, it is not considered that the proposed scheme would have any significant adverse impacts on the residential amenity of neighbouring dwellings. Also, it blends adequately with the mixed street scene and therefore the general amenity of the area. The proposal is, therefore, considered to be in compliance with the provisions of LDP Policy CW2.

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Transportation Engineering Manager offers no objection to the proposal although the access road within the development is unlikely to be adoptable because of the difficulty of accessing a wall retaining the road for maintenance. Parking provision falls short of the standard of one per bedroom but in light of the proximity of the site to a number of facilities (shops, school, etc.) the reduced provision is considered to be acceptable. Three spaces are provided for the supported unit, one for the staff member and the remainder for occasional visiting agencies. The proposal incorporates improvements to the narrow steep section of Thorncombe Road by way of widening and the provision of a footway fronting the site and continuing up to the High Street junction. Transportation Engineering Manager requests that conditions be attached to any permission with regard to the Thorncombe Road improvements, vision splays at the site access and the construction of the estate road and parking areas. On this basis it is considered that the proposed scheme is in compliance with the provisions of LDP Policy CW3.

The scheme incorporates small fragmented areas of landscaped public open space. As the provision of open space is limited it is recommended that a condition be attached to any permission requiring further details of landscaping, surfacing and furniture (e.g. seating) to improve the amenity value of these spaces to be agreed, together with a management plan for their ongoing maintenance. While the areas of open space are small relative to the numbers of units, it is considered that subject to the aforementioned condition the scheme complies with the provisions of LDP Policy CW10 with regard to on-site open space.

The scheme incorporates the retention of the hedgerow on the eastern lane frontage and measures for its protection during construction, which was required by a condition on the outline permission. On this basis it is considered that the proposed development is in compliance with the provisions of LDP Policies SP10 and CW6 with regard to conservation of natural heritage. Further, the Council's Ecologist has recommended a condition requiring provision for roosting bats and nesting birds within the buildings as a biodiversity enhancement.

A number of objectors have raised the issue of the tipping of material on the site in association with groundworks for the adjoining retail park development. While there is some indication that tipping did take place, there do not appear to be any records within the Planning or Environmental Health Sections of the Council and the tipping would have taken place prior to the grant of outline planning permission. Head of Public Protection advises that there is no record to suggest that either the retail park site or the application site were potentially contaminated by any past activity. Further, the applicant advises that on the basis of ground investigations it is likely that the proposed reduction in ground levels would result in all the tipped material being removed from the site. For these reasons it is considered that the issue of tipped material should not prejudice the determination of the application.

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The proposed development is considered to be acceptable and in compliance with local plan policies and local/national guidance, and it is recommended that permission is granted subject to the conditions outlined above.

Comments from Consultees: The comments of the consultees can be accommodated by conditions where necessary.

Comments from public: The concerns raised by the members of the public are largely addressed in the report above, but the remaining issues are considered below.

The supported unit may give rise to anti-social behaviour - this is a material planning consideration but as this is in effect a residential use it would be the responsibility of the managing agent to ensure that the unit did not give rise to nuisance to neighbouring occupiers.

The development will give rise to increased traffic, increasing hazards on a route to a primary school and a play area - the development would inevitably give rise to increased vehicle movements but not to any significant degree; the Transportation Engineering Manager has not objected to the proposal on highway safety grounds and it is to be noted that this is a reserved matters application.

The access road and junction with High Street are substandard - the section of Thorncombe Road fronting the site would be widened at the pinch point and a footway provided; the footway would be continued up to the junction with High Street.

The new access is too close to the existing lane and has limited visibility - the Transportation Engineering Manager has offered no objection in this regard.

The development provides insufficient off-street parking - the Transportation Engineering Manager has offered no objection in this regard.

The surface water and foul drainage systems in the area are inadequate - outline permission has been granted subject to a condition requiring details of drainage to be agreed.

A watercourse passes through the site - the Council's land drainage engineer has not provided any information in this regard.

The development would cause damage to wildlife - the hedgerow is to be retained and biodiversity enhancements required.

The site has previously been earmarked for public open space - no information has been provided to substantiate this claim.

There is a lack of school places locally - the principle of the residential development of the site has previously been established by the grant of outline planning permission.

The construction phase would cause dust and noise nuisance - some disturbance will arise but mitigation measures can be secured by condition.

Properties locally would be devalued - this is not a material planning consideration.

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Other material considerations: None.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) This permission relates to the submitted scheme as amended by Drawings Nos. SW41(00)02 Rev.A, SW41(04)01 Rev.M, SW41(04)01A, SW41(04)04 Rev.F and SW41(04)04A received on 26 March 2013, Drawing No. SW41(04)02 Rev.C received on 13 March 2013 and Drawing No. SW41(04)03 Rev.A received on 25 January 2013.
REASON: For the avoidance of doubt as to the approved scheme.
- 02) Thorncombe Road shall be improved in a manner to be agreed in writing with the Local Planning Authority before any works commence on site, and completed in materials to be agreed in writing by the Local Planning Authority before the development hereby approved is first occupied.
REASON: In the interests of highway safety.
- 03) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of highway safety.
- 04) Unless an endorsed Agreement under Section 38 of the Highways Act 1980 has been completed a detailed programme for the provision of the proposed highways and highway alterations including all stages in the statutory process for approval thereof together with a similarly detailed programme for the construction, completion and future maintenance of the proposed highways shall be submitted to and approved in writing by the Local Planning Authority before any works of construction are commenced on site.
REASON: In the interests of highway safety.
- 05) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x site frontage. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.

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- 06) The development shall not be occupied until the areas indicated for the parking of vehicles have been laid out in accordance with the submitted plans, in materials to be agreed in writing with the Local Planning Authority, and those areas shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 07) Notwithstanding the submitted drawings, before works commence on site full engineering details and structural calculations for all retaining walls within the development, together with certification from an independent chartered civil or structural engineer that the proposals are structurally adequate and fit for their intended purpose, have been submitted to and approved in writing 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 occupation of the approved development.
REASON: In the interests of highway and public safety.
- 08) Prior to their occupation the bedroom and bedsit windows on the rear (southern) elevations of the flats and supported unit shall be fitted with upgraded acoustic glazing capable of achieving internal noise levels of 30dB(A) measured over an 8 hour time period during the night time.
REASON: In the interests of residential amenity.
- 09) Prior to its first occupation the windows in the side (eastern) elevation of the dwelling on Plot 5 shall be fitted with obscure glazing which shall at no time be replaced by any other type of glazing.
REASON: In the interests of residential amenity.
- 10) Before the commencement of works on site, a scheme for the management of the landscaped open spaces within the development shall be submitted to and agreed in writing with the Local Planning Authority. The open spaces shall thereafter be managed in accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interests of visual and residential amenity.

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- 11) Notwithstanding the submitted landscaping scheme, before works commence on site details of enhanced landscaping for the areas of public open space within the development, to include details of any hard surfacing and the provision of street furniture, shall be submitted to and agreed in writing by the Local Planning Authority. The soft landscaping shall thereafter be carried out in accordance with the provisions of Condition 12 and the other works prior to the completion of the development.
REASON: In the interests of visual and residential amenity.
- 12) The agreed soft landscaping scheme shall be carried out in the first planting or seeding season following the occupation or completion of the development, whichever is the earlier. 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.
- 13) Prior to the commencement works on site, a plan showing details of the provision of roosts and a means of access for bats into the new buildings and nesting provision for birds shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented before the new dwellings hereby approved are first occupied.
REASON: To provide additional roosting for bats and nesting provision for birds as a biodiversity enhancement, in accordance with paragraph 5.2.8 of Planning Policy Wales (2010), paragraph 1.4.3 of TAN 5 (2009) and Section 40 of the Natural Environment and Rural Communities Act 2006.
- 14) Notwithstanding the submitted drawings, details of the height and materials of all boundary enclosures and finishes to the retaining walls shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed scheme.
REASON: In the interests of visual and residential amenity.
- 15) 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 dwellings hereby approved shall be constructed without the approval of the Local Planning Authority.
REASON: In the interests of residential amenity.

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- 16) 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.

- 17) Prior to the commencement of work on site a scheme for the mitigation of noise and dust during the construction phase of the development shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed scheme.
REASON: In the interests of residential amenity.

Advisory Note(s)

Please find attached the comments of Police Architectural Liaison Officer, Senior Engineer (Land Drainage), Head of Public Services and Countryside and Landscape Services Manager that are brought to the applicant's attention.

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: SP10, CW2, CW3, CW6 and CW10.
