

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0871/FULL 31.10.2016	Bailey Hire Ltd Mr Wells Unit 15E Bedwas House Industrial Estate Caerphilly CF83 8DW	Erect four new residential dwellings and associated engineering works Land North Of 260 Pontygwindy Road Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is situated on the eastern side of Pontygwindy Road on its junction with the access road to Catnic.

Site description: The application site is an area of grassed land situated on a junction and adjacent to the main road from Pwll y Pant roundabout to Caerphilly. The site is undulating and slopes from south to north and from west to east. There is a small overgrown area of trees and shrubs in the southern part of the site adjacent to the dwelling at number 260 Pontygwindy Road. There are dwellings to the south and east of the site with the Catnic site to the north and Pontygwindy Road and then industrial buildings to the west.

Development: The application seeks full planning consent for the erection of four detached dwellings. There would be three dwellings sited along the road frontage onto Pontygwindy Road with a further dwelling set at 90 degrees to those dwellings and facing the Catnic Access Road. There would be three house types with House Type B1 having its roof plane facing the road and Type B2 being gable fronted, whilst House Type A would be a larger double fronted dwelling. All of the dwellings will have four bedrooms with off street parking and detached garages.

Dimensions: House Type A measures 8.1m wide by 11m long by 8.4m high. House Types B1 and B2 measure 5.775m wide by 9.5m long by 8.7m high. The single garage for plots 2 and 3 measure 6.43m long by 3.43m wide by 3.9m high and the double garage for Plots 1 and 4 measures 6.43m long by 6.645m wide by 4.9m high.

Materials: Face brickwork with concrete tiled roofs.

Ancillary development, e.g. parking: A new access with vision splays is to be created off the Catnic link road together with landscaping for each of the plots including trees to the front gardens of the dwellings.

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PLANNING HISTORY 2005 TO PRESENT

08/0787/FULL - Stockpile imported materials (1 year) - Granted 12.09.2008.

P/04/1325 - Erect residential development including retained open space, associated access roads, site remediation and demolition of Mackworth Grange - Granted 01.02.2010.

10/0658/RM - Erect 57 units and associated works (Phase 1) - Granted 21.01.2011.

11/0255/NCC - Delete conditions 14 and 15 of previous planning consent 10/0658/RM - Granted 25.08.2011.

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: 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.

National Policy: Paragraph 4.11.9 of Planning Policy Wales 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 - No objection subject to conditions in respect of parking and vision splays.

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Head Of Public Protection - No objection subject to conditions in respect of contamination and noise.

Senior Engineer (Land Drainage) - No objection subject to the submission of a drainage scheme.

ADVERTISEMENT

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

Response: Objections were received in respect of the original scheme but the objections from number 260 Pontygwindy Road have now been removed. The objections from number 2 Waun Draw had not been removed at the time of writing the report.

Summary of observations:

1. Overbearing impact.
2. Loss of privacy.
3. Building noise and disruption.
4. Highway congestion both during and after construction.

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? 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. Based on a total floor area of 407 square metres at £40 per square metre a total CIL amount of £16280 is payable.

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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 for residential development on land that is situated within a mixed use residential and industrial area but on land that is unallocated for any use in the Local Development Plan. In that regard it is considered that the principle of the development is acceptable in planning terms. The scheme originally submitted proposed to erect a dwelling immediately adjacent to the boundary with the property at number 260 Pontygwindy Road and it was considered that this would have had a detrimental impact on the amenity of that dwelling. Similarly the dwelling on Plot 4 was sited such that it would have had a detrimental impact on the amenity of the dwelling at number 2 Waun Draw (on the Kingsmead development). The scheme has now been amended in order to move the dwellings away from those properties with intervening distances of 7.4m and 13.8m respectively and the impact is considered to be acceptable. There would also be no loss of privacy to either of these dwellings.

The layout of the dwellings is considered to be acceptable and there is sufficient parking turning and access within the site. The proposed landscaping is considered to be vital in order to provide some screening of the adjacent roads from the dwellings and as such this should be controlled by condition.

Comments from consultees: No objections raised. Whilst the Head of Public Protection has requested the provision of a 2m high close boarded fence along the Pontygwindy Road elevation in order to mitigate noise it is not considered that this would be acceptable from an urban design perspective given the highly visible location of the site. In that regard it is considered that on balance the need to provide housing to meet the Council's current deficiency in the 5 year land supply, and the urban design requirements, outweigh any concerns with regard to noise issues on this site.

Comments from public: The concerns of residents have partially been addressed in the amendments made to the latest scheme. It is no longer considered that there would be any overbearing impact or loss of privacy as a result of this development.

Building noise and disruption is an inevitable part of any construction site but is only considered to be a transient part of any small housing scheme. In any event it is considered that hours of working on site could be controlled by condition and this would make any impact acceptable in planning terms.

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The Transportation Engineering Manager has been consulted on this application and has raised no objection. Whilst this small development would lead to an increase in vehicles using the local highway network it is not considered that this would be sufficient to warrant the refusal of this application. Also, as stated above the access to the site is considered to be acceptable in highway safety terms.

Other material considerations: None.

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

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) The development shall be carried out in accordance with the following approved plans and documents: 1362-SLP-01A, 1362-TP-01A, 1362-LP-01A, 1362-BLK-01, 1362-SS-01, 1362-HTA-01, 1362-HTB1-01, 1362-HTB2-01, 1362-GAR-01, 1362-GAR-02-03, 1362-D-01, 1362-D-02, 15160-100C and the Drainage Strategy by Shear Design.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) 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 33 metres. 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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- 05) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.
- 06) The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
- 07) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garages hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwelling hereby approved.
REASON: In the interests of highway safety.
- 08) Prior to their first use the proposed shared private driveway and parking provision shall be constructed in permanent materials as approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
- 09) No surface water from the development shall drain on to the public highway.
REASON: In the interests of highway safety.
- 10) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.

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- 11) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 12) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 13) Prior to the commencement of works on site a scheme shall be submitted for the installation of glazing on road-side habitable rooms capable of achieving an internal Lmax level of 45 dB(A). The Development shall be carried out in accordance with the approved details before first use of the dwellings hereby approved.
REASON: In the interest of residential amenities from the noise from Pontygwindy Road.
- 14) No construction works shall take place outside the hours of 08.00 hrs to 17.30 hrs Monday to Friday, 09.00 hrs to 13.00 hrs on Saturdays and no work at all on Sundays or Bank Holidays.
REASON: In the interests of residential amenity.

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, CW3 and CW4.

Please find attached comments from Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage) and the Council's Ecologist.

