

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0582/OUT 03.07.2018	Mr M Pullen 4 Glyn Terrace Fochriw Bargoed CF81 9JP	Erect residential development of two dwellings Land At Grid Ref 314499 200312 Adjacent To 128 - 134 Llancayo Street Bargoed

**APPLICATION TYPE:** Outline Application

### SITE AND DEVELOPMENT

Location: The application site is located at the north-western end of Llancayo Street, Bargoed.

Site description: The rectangular shaped area of vacant land is situated on the valley side and located at the north-west end of Llancayo Street. The site is bounded along its south-west, upper boundary by a single track lane, serving the rears of terraced dwellings located along Llancayo Street and also providing access to Graig Farm situated to the north west of the site. The site is bounded to the north east, (the lower section of the site) by a shared access lane leading off Llancayo Street and serving detached residential bungalows. An end of terrace property is located to the south east of the site. There is a level difference of some 27 metres between the top and bottom of the site which slopes upwards from Llancayo Street.

Development: Outline planning permission is sought for the residential development of two detached dwellings in the south-east corner of the parcel of land. The access point to the site is in the south-east corner of the site, off a short section of lane that connects with Llancayo Street. All matters are reserved for subsequent approval. The application is reported to Planning Committee because the applicant is employed by the Council.

Dimensions: Upper and lower limits for height, width and length of each building: Width: 7.0 - 11.0 metres; Depth: 6.0 - 10.0 metres; Height: 7.0 - 13.0 metres.

Materials: Not specified.

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Ancillary development, e.g. parking: No information provided. To be controlled at reserved matter stage.

### PLANNING HISTORY 2005 TO PRESENT

P/04/1647 - Erect residential development. Refused 24.06.2005.

12/0376/FULL - Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings. Granted 06.09.2013.

18/0580/NCC - Vary condition 01 of planning consent 12/0376/FULL (Erect one four bedroom dwelling and one three bedroom dwelling including outbuildings) to extend the time to implement the development by a further 5 years. Pending.

### POLICY

#### LOCAL DEVELOPMENT PLAN

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

Policies: Policy SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations - Highways), CW7 (Protection of Open Space), CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP5 (Car Parking Standards), LDP6 (Building Better Places to Live), LDP8 (Protection of Open Space).

NATIONAL POLICY Planning Policy Wales (9th Edition), 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? No.

### CONSULTATION

Landscape Architect - Requests a tree survey given the presence of numerous trees on site.

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Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - No objection subject to conditions.

Dwr Cymru - Provides advice to the developer.

Ecologist - The same conditions should be attached to any permission as were attached to the previous consent of the site in the interests of biodiversity.

### ADVERTISEMENT

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

Response: None.

Summary of observations: Not applicable.

### 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.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? New residential development is CIL liable. However, this will be calculated at reserved matters stage. The site is located in the Lower Viability CIL zone where the chargeable rate is currently £0.

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## ANALYSIS

Policies: The application site is located within the settlement boundary and therefore the principle of residential development is considered to be acceptable subject to all material planning considerations. The site also benefits from an extant planning permission for two detached dwellings (Ref: 12/0376/FULL). The proposed development differs from the previous permission on the site in that the current application proposes two detached dwellings in the south-east corner of the site at a significantly lower level on the slope than those approved in 2012.

The site is constrained in development terms as it is served by a private drive linking it to the adopted highway, i.e. Llancayo Street. As three existing properties are served off this private drive, no more than two dwellings would be allowed on the application site based on current generally accepted standards for private drives.

In terms of the proposed development it is considered that the dwellings have been appropriately sited on the application site so they are well related to the existing urban form. The dwellings are of an appropriate scale and layout, and subject to detailed design at reserved matters stage should sit comfortably within the existing landscape. Access to the proposed dwellings will be via a new access drive that cuts across the front of the dwellings. Given the challenging levels onsite this access will likely require significant retaining works. However, with good design and suitable landscaping, there is no reason this element should have a detrimental impact in visual amenity terms. Furthermore, it is not considered that the proposed dwellings will detract from existing levels of residential amenity by virtue of any overbearing or overlooking impact. For these reasons the development accords with Policy CW2 of the adopted Caerphilly Local Development Plan.

As the site is within settlement limits, an Open Space Assessment (OSA) in line with policy CW7 and the accompanying SPG LDP8: Protection of Open Space has been undertaken. The OSA highlights that there is still sufficient recreational amenity and visual amenity space in the area, should the site be developed. Furthermore, the site itself is not easily accessible and would not be useable in terms of recreational amenity. Therefore, there are no concerns arising from the perspective of policy CW7.

The Transportation Engineering Manager raises no objection to the proposed development subject to conditions, and therefore the proposal is considered to comply with the requirements of Policy CW3 (Highway Safety). For the reasons outlined above, the proposed development is considered to be acceptable in planning terms subject to conditions.

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Comments from consultees: No objection subject to conditions and advice. With regard to the landscape comments, the trees are not protected by a Tree Preservation Order, appear to be relatively immature and of low value, and the proposed dwellings are to be sited away from the more heavily wooded section of the site, and therefore a tree survey is not considered necessary in this instance.

Comments from public: None.

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) Approval of the details of the access, appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the access, appearance, landscaping, layout and scale of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

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- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.  
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) The development shall be carried out in accordance with the following approved plans and documents:  
Proposed Site Plan received 27.06.2018.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) Prior to the commencement of works on site a scheme of land and surface water drainage within the site 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 it relates is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 07) Prior to the construction of the foundations of the development hereby approved details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point off-site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 08) 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, access to the two dwellings hereby granted consent shall at all times be from Llancayo Street only. No vehicular access, including construction traffic delivering materials during the construction of any part of the development, shall be gained from the lane which lies to the south-west of the site.  
REASON: In the interests of highway safety.
- 09) The proposed private driveway shall have a minimum gradient not exceeding 12.5% (1 in 8) and shall include a suitable turning facility the details of which shall have first been agreed in writing with the Local Planning Authority.  
REASON: In the interests of highway safety.
- 10) The proposed private driveway shall be not less than 4.1m wide.  
REASON: In the interests of highway safety.

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- 11) Unless otherwise agreed in writing with the Local Planning Authority, prior to vegetation clearance works being undertaken in connection with the construction of the properties and associated access works, details of the timing of the habitat manipulation and reptile mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be strictly complied with.  
REASON: To ensure that reptiles and nesting birds are protected.
- 12) Unless otherwise agreed in writing with the Local Planning Authority works related to the clearance of vegetation and reptile mitigation measures shall be undertaken in accordance with Section 5 of the Merlin Biosurveys Reptile Survey 2012 submitted in connection with planning application 12/0376/FULL.  
REASON: To ensure that reptiles and nesting birds are protected.
- 13) Notwithstanding the submitted details, prior to the commencement of any works on-site, engineering details of the design and materials to be used in the construction of the private internal site access driveway, including any retaining walls, together with any associated landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the internal site access driveway shall be constructed in accordance with the approved details prior to the commencement of works in association with the construction of the two dwellings hereby approved.  
REASON: In the interests of the visual amenity of the area.

Advisory Note(s)

Please find attached the comments of Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water 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: Policy CW2, CW3, CW5.

