

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/0748/COU 24.08.2018	Reginald Moore Limited 5 Cwrt Y Parc Cardiff Business Park Llanishen Cardiff CF14 5GH	Convert Mountain View into 2 no. two bedroom flats and construct new build 2 no. one bedroom flats to the rear Land At The Laurels And Mountain View Van Road Caerphilly CF83 1LA

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: Land At The Laurels And Mountain View, Van Road, Caerphilly, CF83 1LA.

Site description: The application site is a parcel of land located to the west of the junction of Poplar Road and Van Road in Caerphilly. It is comprised of the buildings and associated curtilage of what was originally a pair of semi-detached properties (The Laurels and Mountain View). The Laurels has been previously converted into two apartments and Mountain View is at present a single dwelling house. To the west of the application site is Brendon Court a development of 8 dwellings with a parking court adjacent to the side boundary of the Laurels. To the east is Poplar Road with two detached dwellings (The Sidings and Ty Aderyn) beyond. A number of industrial/commercial units are located to the south of the application site with Unit 12 Remar (Safety Services) closest to the site. Van Road is located to the north of the application site with a detached residential property (South Riding) on the opposite side of Van Road.

Development: Convert Mountain View into 2 no. two bedroom flats and construct new build apartment building containing 2 no. one bedroom flats.

Dimensions: The existing dwelling (Mountain View) which is proposed to be converted to two flats is approximately 5.3m wide (reducing to 3.8m at the rear portion) with a length of 15.4m at ground floor and 13.3m at first floor with an overall height of approximately 9m.

The new build apartment building measures 6.9m by 7.1m (excluding entrance porch) with an overall height of 7.7m.

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Materials: The existing dwelling proposed to be converted into apartments (Mountain View) has rendered walls with brickwork window detailing and a slate roof.

The proposed new apartment building would have a low brickwork plinth with cream rendered elevations. The roof would be finished in artificial slate.

Ancillary development, e.g. parking: Four parking spaces are proposed.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), CW15 (General Locational Constraints), SP5 (Settlement Boundaries), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note: 11 (Noise), Technical Advice Note 12: Design.

SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP 6 (Building better places to live).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? N/a.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is a Low risk area, and so it is intended to attach an informative note about mining conditions in the area.

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CONSULTATION

Transportation Engineering Manager - No objection subject to conditions addressing detailed highway considerations.

Head Of Public Protection - No objection subject to a planning condition requiring the noise mitigation measures outlined in the submitted noise report to be incorporated into the development.

Senior Engineer (Land Drainage) - No objection, recommends planning condition requiring drainage details is attached to any permission.

The Coal Authority - No objection, advises site is within Low risk area and it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Dwr Cymru - No objection, public sewer crosses site.

Head Of Public Protection - No objection, recommends noise mitigation measures identified within the Noise Assessment be conditioned to be incorporated into the new build apartments. Provides fire safety advice to be provided to the developer in relation to the conversion of Mountain View.

Caerphilly Town Council - Raises concern about the scale of development and lack of off street parking.

ADVERTISEMENT

Extent of advertisement: The application was advertised with 16 neighbour notification letters.

Response: One objection was received relative to the consultation exercise.

Summary of observations:

- Lack of Garden/green space
- Size of apartments
- Insufficient off street parking
- Speculates on future conduct of occupiers
- Impact on wildlife

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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?

It is not considered that crime and disorder will be materially affected by the development.

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.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The site is within the higher viability area for the Community Infrastructure Levy attracting a fee of £40 per square metres (excluding indexation). The applicant has indicated that the existing building (Mountain View) has been occupied for its lawful use for a period of at least 6 months in the last 36 months. As such the Community Infrastructure Levy would be liable for the new build element only (80.17m²) attracts a CIL charge of £3206.80 (excluding Indexation).

ANALYSIS

Policies:The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity, noise and highway considerations and the visual appearance of the development on the character of the area.

The proposed development would convert the existing semi detached dwelling (Mountain View) into two apartments which would broadly replicate the situation in the attached neighbouring property (The Laurels) which is within the applicant's ownership and has been previously converted to two apartments. In addition to the conversion of Mountain View from a house to two apartments the proposal also includes the construction of a new two storey detached apartment building behind the rear building line of The Laurels/Mountain View on what is at present amenity space for these properties. A shared amenity space (approximately 4.5m by 6.5m) is proposed between the new apartment building and The Laurels/Mountain View and additional space would be retained along the sides of the existing buildings (The Laurels/Mountain View) which also would retain their front garden areas.

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The Industrial Estate to the south of the site contains a mixture of industrial/commercial units which include Remar (who service breathing apparatus for safety/leisure purposes), Caerphilly Glass Fibre Units and a motor repair business. The Industrial Estate is allocated under Policy HG1 (Allocated Housing Sites) within the adopted Local Development Plan as a housing site (HG1.65 Land between Van Road/ Maes Glas and the Railway). An extant outline planning permission for residential development exists for part of the industrial estate, however this does not extend to the industrial units immediately adjacent to the current application site.

A noise survey has been submitted to support the planning application and this concludes that night time noise levels are already within reasonable levels however exceedances in noise levels were noted during the daytime, mainly attributed to the noise generated from the industrial and commercial uses to the south and associated Heavy Goods Vehicle movements. The recommendations of the noise survey are to incorporate measures into the new build apartment block to mitigate the existing noise climate. Such measures include the installation of acoustic glazing on the windows overlooking Poplar Road, the provision of a Mechanical Ventilation and Heat Recovery system which provides residents the option not to open windows, while maintaining air quality/ventilation rates to habitable rooms. The noise survey indicates that these measures are indicated to bring internal noise levels down to around 20dB_LA_{eq},1hr. This is indicated to easily meet the 35dB_LA_{eq} desirable internal ambient conditions advocated within the relevant British Standards. It is considered that these measures would be proportionate and reasonable to limit exposure for future residents to noise in accordance with the advice contained within Welsh Government guidance, Technical Advice Note 11 (Noise).

The development has been considered in relation to its impact on neighbour amenity on existing residential properties within the locality. The conversion to apartments of the existing dwelling of Mountain View is not considered to have an adverse impact in terms of existing residential properties across Poplar road (The Sidings and Ty Aderyn) due to the similarity between the existing and proposed uses. The new apartment building will impact on outlook and light to two existing windows on the rear facade of the ground and first floor apartments within The Laurels and a ground floor window on the rear facade of Mountain View however these buildings are in control of the applicant and the impact on them is not considered to be so severe to warrant refusal of the application on this basis.

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The new apartment building will provide two one-bedroom apartments and has most fenestration located on the east facing elevation overlooking Poplar Road. The residential property located directly on the opposite side of Poplar Road (Ty Aderyn) would be separated by approximately 16 metres (window to window) from the apartment building. This would be broadly similar to the separation distance between terrace dwellings facing each other across Van Road to the north-west of the site and the separation distance is considered appropriate. It is also noted that Ty Aderyn has significant semi-mature evergreen screening along its frontage with Poplar Road at present screening its front windows from view.

The proposed apartment building would have a kitchen/dining room window facing westwards at both ground and first floor level. These windows would face across the parking court behind towards the front elevation of dwellings in Brendon Court. The separation distance between these new windows would be around 21 metres from existing fenestration in Brendon Court and no unacceptable overlooking would result from the development. The fenestration in the northern elevation of the apartment building (looking back towards The Laurels/Mountain View) would be limited to non-habitable areas (a bathroom at ground floor level and bathroom and landing at first floor level). It is considered appropriate to require the fenestration on the northern elevation to be obscurely glazed to protect the privacy of the existing and proposed flats of The Laurels/Mountain View. It is considered that the development would have an acceptable impact on neighbour amenity to all surrounding properties according with adopted Local Development Plan Policy CW2 (Amenity).

The proposed parking arrangement will provide four car parking spaces (i.e. one space per apartment) and although this will be two parking spaces less than would normally be required under the parking standards, the existing dwelling (Mountain View) which would house the two bedroom apartments, has no existing parking spaces and therefore it would improve the parking provision for the building by two spaces and also provide a space each for the new one bedroom apartments. In addition the Highway Authority have requested that a 1.2m footway be provided adjacent to Poplar Road and this can be achieved on the site and secured through a planning condition. It is therefore considered that these improvements would result in an acceptable impact in terms of highway safety and accord with adopted Local Development Plan Policy CW3 (Highways).

The design and form of the new build apartment building would have an acceptable visual impact on the character of the area according with Policy SP6 (Placemaking).

Comments from consultees: The Environmental Health Officer has reviewed the submitted noise survey and has offered no objections to the development.

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Comments from public:

- Lack of Garden/green space

The development does incorporate areas of shared amenity space and there is open space, in the locality with Twyn Playing Field and Bartlett Street Recreation Ground and play area within a 500m walk from the site.

- Size of apartments

The Environmental Health Officer has reviewed the proposal with assistance from the Housing team and has raised no concerns as to the accommodation proposed which is considered to be of an acceptable size.

- Insufficient off street parking

In the context of the existing situation with The Laurels (2 apartments) and Mountain View (one dwelling) not having any off street parking provision the proposed development which would include the provision of four off street parking spaces is considered to be acceptable in terms of parking provision.

- Speculates on future conduct of occupiers

This is not a material planning consideration.

- Impact on wildlife

The new build development would be primarily located on the existing garden areas of The Laurels and Mountain View which comprises of mown grass not considered to be significant in terms of wildlife.

Other material considerations: 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.

The development has an acceptable design, parking provision, impact on neighbour amenity and with the proposed noise mitigation measures incorporated future residents will be adequately protected from the existing noise climate. It is recommended for approval accordingly.

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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) The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan, drawing reference T2365-PA-01, received 24.08.18;
 - Site Plan, drawing reference T2365-PA-03, received 24.08.18;
 - Proposed Mountain View Floorplan, drawing reference T2365-PA-05, received 24.08.18;
 - Proposed New Build Floorplan, drawing reference T2365-PA-06, received 24.08.18;
 - Proposed New Building Elevations, drawing reference T2365-PA-07, received 24.08.18;
 - Drainage, drawing reference T2365-PA-10, received 24.08.18;
 - Hunter Acoustics Noise Report, reference 5041/ENS1_REV1, dated 23.10.18.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the submitted plans, the site boundary fronting Poplar Road shall be set back and a 1.2m wide footway provided along the frontage which shall be constructed in permanent materials to a design and specification to have been first agreed in writing with the Local Planning Authority. The agreed footway works shall be completed prior to beneficial occupation of the development.
REASON: In the interests of highway safety.
- 04) 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.

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- 05) Prior to the occupation of the dwelling(s) hereby approved all hard surfacing within the curtilage(s) shall have been:
- 1) constructed in porous or permeable materials, or
 - 2) provided with drainage to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse, and
 - 3) where a surface is to be used as a parking area or drive it shall not be constructed in loose materials,
- and thereafter those areas shall be permanently maintained so as to comply with requirements 1), 2) and 3) of this condition.
REASON: To provide a sustainable drainage system and avoid loose materials being taken out onto the highway.
- 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) The proposed development shall be carried out in accordance with the Environmental Noise Assessment 5041/ENS1_REV1 section 4.2.2 which specifies acoustic glazing, mechanical ventilation and acoustic screening to the new build apartment to mitigate against the potential noise impact from the nearby Industrial Estate. The development shall be built to the specifications outlined within the report.
REASON: In the interests of residential amenity.
- 08) 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) all the windows on the northern facade of the new apartment building shall be glazed with obscure glass. Any replacement or repair shall only be with obscure glass.
REASON: In the interests of residential amenity.

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Advisory Note(s)

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority.

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: SP6, CW2, CW3.

Please find attached the comments of Dwr Cymru/Welsh Water, The Council's Ecologist, Head Of Public Protection and Senior Engineer (Land Drainage) that are brought to the applicant's attention.

