

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/1089/FULL 04.01.2019	United Welsh Housing Association Mr S Lewis C/o LRM Planning Ltd Mr S Courtney 22 Cathedral Road Cardiff CF11 9LJ	Erect residential development of 30 No. affordable homes, highway improvement works, access, car parking and associated works Land At Grid Ref 315195 191134 Wingfield Crescent East Lane Llanbradach

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: Land to the east of Wingfield Crescent East Lane, Llanbradach

Site description:

The application site is a broadly rectangular land parcel located to the east of houses on Wingfield Crescent/Plasturtwyn Terrace and to the south and west of bungalows on Heol Ty-Gwyn. The application site is Council owned land which was historically an allotment but has not used as such for many years and was declared surplus to requirements in 1997. The land is currently not used for any specific purpose and an extended phase one habitat Survey has identified the site as predominately comprising of Semi Improved Grassland and Scrub with areas of Tall Ruderal Vegetation and Scattered scrub.

The site is mainly bounded by the rear lane of Plasturtwyn on the western boundary with at the southern half a row of two storey terrace dwellings (14-27 Plasturtwyn inclusive) beyond. An existing lane which will form part of the access to the site is located above that terrace and a further portion of rear lane adjacent to a row of two storey terrace dwellings (28-32 Plasturtwyn inclusive) also form part of the western boundary of the site. To the northern boundary are residential bungalows including 2 Heol Ty Gwyn, 20 Heol Ty Gwyn and 22 Heol Ty Gwyn. To the eastern boundary are a row of semi-detached bungalows (42-60 Heol Ty Gwyn, evens only). A pumping station is located adjacent to the south-west corner of the site and an open area of land lies to the south with Commercial units (Wingfield Works) beyond. Further terrace dwellings of Plasturtwyn Terrace are located to the south-west.

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Development:

The proposed site layout incorporates 30 dwellings that are arranged predominately around a central spine road which runs broadly in a north-south direction centrally within the site. A portion of east-west access road connects the spine road to the existing road network via a lane between the end of terrace dwellings. The majority of dwellings have their principal elevations facing inwards to the central spine road with their rear elevations facing either towards the existing properties which lie to the west (Plasturtwyn Terrace) or the east (Heol Ty Gwyn) of the application site. The exceptions to this arrangement are Block 10 (plots 28-30) which is a row of three dwellings facing southwards to front the initial portion of east-west access road and Block 9 (plots 26 and 27) whose principal elevation views southwards towards the rear elevation of Block 10.

At the northern and southern extents of the spine road there are turning areas. A new proposed pedestrian link is shown along the south western boundary of the site onto Plasturtwyn Terrace running adjacent to an existing Pumping Station in the south-west corner of the site.

The proposed housing mix is as follows:

- 6 no. 1 bedroom flats
- 17 no. 2 bedroom dwellings
- 6 no. 3 bedroom dwellings
- 1 no. 4 bedroom dwelling

Dimensions:

- Block 1: 23.6m wide by 9.2m deep with a height of 8.5m
- Block 2: 12m wide by 8.2m deep with a height of 8.5m
- Block 3: 17.8m by 9.2m deep (max extent) with a height of 8.5m
- Block 4: 23.6m wide by 9.2m deep (max extent) with a height of 8.5m
- Block 5: 25.2m wide by 9.2m deep (max extent) with a height of 8.5m
- Block 6: 15.5m by 7.8m deep (max extent) with a height of 7.9m
- Block 7: 12m wide by 8m deep with a height of 8.5m
- Block 8: 12m wide by 8m deep with a height of 8.5m
- Block 9: 7.9m wide by 9.4m deep (max extent) with a height of 7.7m
- Block 10: 17.8m wide by 8.2m deep (stepped building line) with a height of 8.5m

Materials: Walls: Brick and render Roofs: Reconstituted Slate

Ancillary development, e.g. parking: 37 Parking spaces are provided within the development for the new dwellings and 17 Parking Spaces are proposed to be provided on the rear and side lanes in Plasturtwyn terrace.

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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: Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Highways), Policy CW6 (Trees, Woodland and Hedgerow Protection), Policy CW7 (Protection of Open Space), Policy CW11 (Affordable Housing Provision), CW15 (General Locational Constraints), Policy SP4 (Settlement Strategy), SP5 (Settlement Boundaries), SP6 (Place making), Policy SP7 (Planning Obligations), SP10 (Conservation of Natural Heritage), Policy SP14 (Total Housing Requirements), Policy SP15 (Affordable Housing Target), Policy SP19 (Transport Infrastructure Improvements).

NATIONAL POLICY

Planning Policy Wales Edition 10
Technical Advice Note 1: Joint Housing Land Availability Studies (2015);
Technical Advice Note 2: Planning & Affordable Housing (2006);
Technical Advice Note 5: Nature Conservation and Planning (2009);
Technical Advice Note 12: Design (2016);
Technical Advice Note 16: Sport Recreation and Open Space (2009);
Technical Advice Note 15: Development and Flood Risk (2004);
Technical Advice Note 18: Transport (2007).

SUPPLEMENTARY PLANNING GUIDANCE

Caerphilly Basin Masterplan - Approved July 2018
Supplementary Planning Guidance note LDP 6 (Better Places to Live)

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

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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.

CONSULTATION

Natural Resources Wales - We recommend that you should only grant planning permission if you attach a condition raising the development plateau to 77m AOD. This condition would address significant concerns that we have identified and we would not object provided you attach it to the planning permission.

Principal Valuer - No comments from Property.

CCBC - 21st Century Schools - There is adequate room to take catchment children into the English and Welsh Primary Schools, and English and Welsh Medium Secondary Schools.

Head Of Public Protection - No objections, recommends planning conditions to address contamination and mitigation measures for the construction period. Also provides advice for the applicant.

CCBC Housing Enabling Officer - The proposed site falls within the Caerphilly Basin housing market area and, therefore, attracts an affordable housing requirement of 40%. The need for affordable housing is evidenced in the current local housing market assessment.

For the purpose of the S106, 40% of 30 units equates to 12 units. The 12 units would be made up of 6 x 2 person 1 bed flats and 6 x 2 bed 4 person houses. These units would be built to DQS and provided at social rent. UWHA would retain ownership of these properties. Given that the development is a 100% affordable housing scheme, there would be no requirement for phasing of the affordable housing contribution.

Senior Engineer (Land Drainage) - 1. The applicant has indicated the disposal of surface water via sustainable drainage systems, however reviewing the submitted information on the public file limited information has been submitted to consider the viability of this method of disposal of surface water.

2. It is noted that the proposed site is situated within a C1 Flood Zone, as identified within the NRW Development Advice Maps. I recommend the Planning Authority consult Natural Resources Wales for their comments. The applicant may be required to submit a Flood Consequence Assessment (FCA) which examines the likely mechanisms that cause flooding, and the consequences on the development of the flooding, must be undertaken which is appropriate to the size and scale of the proposed development.

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3. It is noted the proposed highway is to be constructed of permeable paving, it is recommended Highways Development Control be consulted regarding adoption requirements/advice. Details of plot level drainage are not available.

Should the planning authority be minded to grant permission, recommend as a minimum that full drainage details are secured through the imposition of a suitably worded planning condition.

Head Of Public Services - Highway access to the properties appears adequate for our collection vehicles and there is sufficient off road storage for each property to keep the allocated 2 wheeled bins and food caddy per residence.

Transportation Engineering Manager - No objections subject to conditions to address detailed highway considerations.

Dwr Cymru - No objection, confirm that foul water flows can be accommodated in the public sewer system and recommends condition and advisory notes.

Wales & West Utilities - Provides information on infrastructure in the area.

Western Power Distribution - Advises that the applicant will need to make a separate application to Western Power Distribution for any new connection or a service alteration.

Ecologist - The submitted Extended Phase 1 Habitat Survey is acceptable. Provides detailed comments and recommended planning conditions on species deterrence measures during the construction phase of the works.

Senior Arboricultural Officer (Trees) - No objections.

Transportation Engineering Manager – No objection subject to conditions.

Landscape Architect - No objections, provides advice on open space and recommends either on site provision or off site contributions are sought. Also provides guidance on site landscaping and layout and recommends enhancement of boundary treatments/facade treatment at the site entrance.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice, press notice and 36 neighbour notification letters were sent. Following the receipt of amended plans a reconsultation was carried out. Due to this report being written prior to the re-consultation expiry date, any additional objections / comments received following completion of this report in response to the re-consultation exercise will be reported to Members at Committee.

Response: 19 representations were received to the initial consultation.

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At the time of writing this report a further 10 representations were received in relation to the re-consultation and a petition opposing the development with 71 signatures has also been received.

Summary of observations:

The issues raised in the representations to the application are summarised below:

- Planning Committee Members should undertake a site visit
- Sewerage issues/Existing sewerage system is running at capacity and in times of heavy rain overflows
- No feedback from Pre-Application Consultation by applicants/agent
- Why is application stating Affordable houses when applicant confirmed at Pre-application consultation that they are all to be allocated for social housing?
- Wish to submit an alternative proposal for the land
- Site is not allocated within the LDP for housing
- Loss of Privacy
- Overbearing impact
- The 10.5m distance from the rear elevation of proposed residential blocks facing the bungalows to the east is breached in some cases by 1m reducing the standard privacy distance to an unacceptable degree
- Unacceptable overlooking
- The development is out of keeping with the low density and scale of the housing in Heol Ty Gwyn
- Overdevelopment
- Increase in noise and disturbance
- Increase in air pollution
- Likely Structural damage to existing properties from construction works
- Devaluation of property, request compensation for existing residents
- Negative impacts of additional vehicle movements on an already congested road network
- Highway safety including increased risk of accidents
- Inadequate access to site
- Existing parking problems in the area and loss of existing parking for residents
- Lack of enforcement of existing parking regulations (double yellow lines)
- Increase in traffic through rear lane will make existing residents use of garages more difficult and children play in the lane
- Loss of parking and replacement parking unsuitable due to safety issues and likelihood of theft/vandalism
- Will increase already unacceptable antisocial and criminal activity in Llanbradach
- Loss of Wildlife/ Wildlife report does not reflect species seen on site
- Unsuitable site due to Flood risk and have an adverse impact in terms of flooding on neighbouring properties and increase insurance premiums
- Site should be an allotment/ community garden for local community and educational use. It could be used to encourage wildlife

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- Adverse impact on the settlement of Llanbradach in terms of overpopulation
- Increase pressure on existing community facilities e.g. schools, doctor practices and dentists
- Loss of green/open space
- Japanese Knotweed
- Will material be imported or exported on site?
- Should have been wider consultation of residents
- Car Headlights shining into existing properties
- Source of Data used within Transport Statement
- No Coal Mining report
- Site Investigation report undertaken during an extended period of dry weather and still groundwater was encountered
- No need for extra housing in Llanbradach
- Property devaluation
- Will have detrimental effects on existing residents' health and well-being and access from the proposed development and Vulnerable residents live adjacent to the site
- Vibration from Construction concerns over structural damage to existing properties
- Housing should be provided for existing Elderly population to downsize and free up existing properties within the area

The following supportive comments were received:

- This is ideal brownfield land for development which will help the local housing shortfall
- There is demand for housing in the area

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? A survey was carried out and no evidence was found, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

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COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The site lies within the higher viability zone for CIL attracting a charge of £40/sqm (Excluding Indexation). However as the applicant is a Registered Social Landlord it is anticipated that they would apply for exemption from the CIL charge.

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, highway safety and the visual appearance of the development on the character of the area.

The application site is located in the Southern Connections Corridor (SCC) within the Llanbradach settlement as defined within adopted Local Development Plan Policy SP3 (Development Strategy - Development in the Southern Connections Corridor). Policy SP3 seeks to promote sustainable development that redevelops previously developed land where feasible. The application site is a former allotment, now vacant and whilst not meeting the definition of previously developed land is adjacent to brownfield land and is a site within the defined settlement boundary of Llanbradach, in a sustainable location within easy reach of public transport and local facilities. The application site is not allocated for any specific purpose within the adopted Local Development Plan and is located within settlement limits and therefore there is a general presumption under Policies CW15 (General Locational Constraints) and Policy SP5 (Settlement Boundaries) that development would normally be allowed, taking into account material planning considerations and the impact on adjacent allocations.

National Planning guidance in terms of Planning Policy Wales (PPW) acknowledges that the efficient use of resources, including land, underpins sustainable development. In particular paragraph 4.2.22 of PPW states that "Planning authorities will need to ensure that in development plans and through the development management process they make the most efficient use of land and buildings in their areas. Higher densities must be encouraged on sites in town centres and other sites which have good walking, cycling and public transport links." In this instance the proposal with good links to bus and train services will constitute the development of a vacant land parcel within settlement limits which would provide much needed affordable homes in an efficient manner consistent with national planning guidance.

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Flooding/Drainage

The application site lies within a designated Flood Zone C1 and would represent highly vulnerable development. The applicant has submitted a Flood Consequence Assessment with the planning application and Natural Resources Wales have been consulted and subject to a planning condition requiring the development plateau to be raised to a minimum of 77mAOD have not objected to the development. The existing site levels vary however range between approximately 76mAOD to in excess of 77mAOD and it is considered that the proposed alterations to site levels would be acceptable to achieve the minimum requirements of Natural Resources Wales.

Section 6 of Technical Advice Note 15 (Development and Flood Risk) advises in paragraph 6.2 that "New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i) Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii) Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
- iii) It concurs with the aims of PPW and meets the definition of previously developed land; and,
- iv) The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

In response to these criteria, it is considered that the following is relevant to the proposed development:

- i) The provision of housing on the site within the defined settlement boundary of Llanbradach is supported by the adopted Local Development Plan particularly policies CW15 (General Locational Constraints) and SP5 (Settlement Boundaries) and the wider vision for the Caerphilly Basin that seeks to support the development of housing including affordable housing in sustainable locations within settlements including Llanbradach as defined in strategic objective H of the adopted Caerphilly Basin Masterplan.
- ii) Not required to be met as part i) is already met;

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- iii) The application site does not meet the definition of previously developed land and therefore this test is not met;
- iv) NRW conclude that the proposed development is acceptable based on the submitted FCA subject to a planning condition to require the development plateau to be raised to a minimum of 77mAOD.

It is noted that the requirement in terms of test iii) within section 6.2 of Technical Advice Note 15 has not been met by virtue of the application site being greenfield land. In considering the failure of this part of the justification test this has been balanced with other material planning considerations which include the site's location within the defined settlement boundary, the sustainable location of the site which is well served by public transport and the acknowledged shortfall in the 5 year housing land supply which at present is at only 2.3 years. It has also been weighed against the response from Natural Resources Wales who have considered the submitted Flood Consequence Assessment and has offered no objection to the development subject to the raising of ground levels. On balance, despite the failure of the site to accord with test iii) of paragraph 6.2 of Technical Advice Note 15, it is considered that the other material planning considerations specified above outweigh this matter.

Affordable Housing

Planning Policy Wales within paragraph 4.2.25 defines affordable housing as "Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers." PPW explains within paragraph 4.2.26 that "Affordable housing includes social rented housing owned by local authorities and Registered Social Landlords and intermediate housing where prices or rents are above those of social rent but below market housing prices or rents." The applicant has confirmed that they anticipate that all the properties would be social rented housing, however in line with the recommendation of the Affordable Housing Officer a legal agreement would be sought to require a minimum of 40% affordable housing units to be provided on the site. This would accord with the requirements of adopted Local Development Plan Policy CW11 (Affordable Housing Planning Obligation) and adopted Supplementary Planning Guidance LDP1 (Affordable Housing Obligations -October 2018).

Natural Heritage

The Tree report submitted with the application indicates the removal of trees on site for arboricultural reasons with the exception of groupings of trees categorised as low or moderate quality on the eastern boundary required to be removed for development purposes. The applicant has submitted a landscaping plan which indicates that new trees will be planted within the first planning season after the scheme is completed on the site to mitigate those that are lost. The Senior Arboricultural Officer has reviewed the proposal and has offered no objection to the tree/vegetation removal.

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The Council's Ecologist has requested the imposition of a planning condition requiring retention of hedgerows, however the site layout does not retain any such features and suitable replacement planting can be agreed under the Landscaping Condition.

Access and Highway considerations

The main vehicular access for the site would be via an existing lane that runs from Wingfield Crescent in between two end of terrace properties (numbers 27 and 28 Plasturtwyn Terrace). The submitted layout plan indicates alterations to this lane that would include retaining a 5.5m width carriageway and provision of associated footway/parking bays. A new access road running broadly west-east would interface with the lane at the western edge of the site running into the site for a distance of approximately 28m. This would then intersect with a central spine road of a length of approximately 125m incorporating turning facilities at either end. The central spine road would be a 6.8m wide shared surface at its northern half and a 5.5m carriageway with footways at the southern half.

The applicant has incorporated additional parking into the scheme to address the loss of informal parking which currently occurs on the access lane between 27 and 28 Plasturtwyn Terrace and 14 parking spaces will be provided within the rear lane that runs behind 14-27 Plasturtwyn Terrace and 3 parking bay spaces will also be provided on the northern side of the access in between 27 and 28 Plasturtwyn.

The 30 dwellings within the development site will be provided with a total of 37 car parking spaces on-site with designated parking spaces for the houses and small parking courts for the apartments. The applicant submitted a Sustainability assessment that justified a reduction in parking for the development. The proposed on-site parking provides one car parking space for all of the one and two-bedroom dwellings and two car parking spaces for the three and four bedroom dwellings. These 37 spaces are in addition to the 17 spaces proposed on the eastern edge of Plasturtwyn Terrace which are primarily for the benefit of existing residents.

It is also proposed to provide a pedestrian/cycle route to Wingfield Crescent at the south-west corner of the site and in accordance with Welsh Government Development Quality Requirements (DQR) the applicant has indicated the proposed houses will be provided with sheds which can be used as secure storage for bicycles and the apartments will be provided with a secure stand to store bicycles.

The Transportation Engineering Manager has reviewed the Transport Statement submitted in support of the planning application and the proposed site layout and parking arrangements and has offered no objections to the development subject to planning conditions to require provision of the onsite and offsite parking, highway improvement works and associated works. In terms of visibility from the existing junction from the lane in between numbers 27/28 Plasturtwyn onto the main road the Transportation Engineering Manager has advised that suitable visibility splays are already in place with the current parking restrictions (double yellow lines) and therefore no displacement of on street parking on the main road is required. It is considered that the development accords with Policy CW3 (Highways).

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Neighbour amenity.

The impact on neighbour amenity has been considered. The proposed development is located on either side of the internal north-south spine road and the development on each side of the spine road will be considered in turn. The existing site levels would be raised to a minimum of 77AOD to comply with the Flood Consequence Assessment. The current site levels undulate but are generally around 76AOD to just over 77AOD whilst some levels vary slightly outside this range.

Firstly the following consideration is made in respect of the properties to the western side of the spine road located closest to existing dwellings on Plasturtwyn Terrace. The proposed Blocks numbered 1-3 (inclusive) have their rear elevations facing existing two storey properties on Plasturtwyn Terrace with their rear gardens and the existing rear lane and proposed parking areas in between these new dwellings and the existing curtilage areas of the terrace dwellings. There are separation distances well in excess of 21 metres between fenestration in the existing terrace dwellings and Blocks 1-3. Moving up the site a row of three dwellings (Block 10) with a staggered building line faces southwards across a new portion of east-west access road towards the unfenestrated northern side elevation of Block 1.

An apartment block (Block 9) lies further north with its front elevation facing southwards towards the rear elevation of block 10. The separation distance between Block 10 and Block 9 is considered acceptable noting the relationship is not of two rear elevations facing each other. The rear elevation of block 9 overlooks the proposed turning head and has a distance of approximately 10.5m to the northern boundary of the application site. The nearest properties to the northern boundary include number 2 Heol Ty Gwyn which is angled at approximately 90 degrees to block 9 and there would be sufficient separation distance to their rear amenity area. Number 22 Heol Ty Gwyn is a detached bungalow which has been subject to sizeable extensions. The rear fenestration of number 22 Heol Ty Gwyn is in relatively close proximity (circa 1.5m) of boundary walling that abuts the site boundary and providing screening. The closest part of the application site to this is the proposed turning head adjacent to the boundary. Block 9 does not directly overlook the fenestration in the southern elevation of number 22 Heol Ty Gwyn and with the existing boundary treatment it is considered that the development would not have an unacceptable impact in terms of privacy or overlooking. There would also be no unacceptable impact to the occupiers of 20 Heol Ty Gwyn.

In relation to the proposed new development on the eastern side of the spine road these would have their rear elevations facing the rear gardens and rear elevations of 9 semi-detached bungalows numbered 42-58 Heol Ty Gwyn (evens only). Following discussions with the applicant the site plan has been amended to increase separation distances to the existing bungalows. It is considered that the separation distances achieved to the bungalows are acceptable taking into account the two storey nature of the proposed development and the requirement to provide a minimum floor level necessitating some alterations to ground level.

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The separation distance varies along the row due to the bungalow positions and the tapered site boundary but in back to back situations provides 21 metres separation between habitable room windows. One exception is the relationship between Plot 17 (block 5) and a bungalow No.52 Heol Ty Gwyn. Whilst 21metres separation is achieved to some of the rear facade of No. 52 an extension to the property means a reduction to 20 metres from upper floor habitable room windows in plot 17. This is considered acceptable. It is noted that whilst the development will understandably represent a significant change in outlook to the occupants of dwellings surrounding the site who are used to having views onto an open land parcel that the proposed development would have an acceptable impact in terms of outlook and privacy.

At the south-eastern edge of the site is a Bungalow (60 Heol Ty Gwyn) which is angled in relation to the existing row of bungalows further north and also to the application site whose boundary tapers around the curtilage of 60 Heol Ty Gwyn. The southern end of Block 4 comprising of Plot 10 has its rear elevation facing the side elevation of an extension constructed onto 60 Heol Ty Gwyn. This extension is a large single storey structure and has a non-habitable room window facing the application site. The primary fenestration to the extension would not be directly overlooked by the windows in block 4 and views would be primarily of the roof of the extension and semi-public side curtilage area already visible from Heol Ty Gwyn. A secondary window serving a bedroom at the front of the property is located close to the front wall of the extension and the overlooking introduced by the proposed development is not considered to be so severe to warrant refusal of the application on this basis.

The development accords with adopted Local Development Plan Policy CW2 (Amenity) in having an acceptable impact on the existing levels of amenity enjoyed by occupiers of surrounding properties.

Design

The proposed dwellings are arranged in blocks with facades which include a mixture of face brickwork and render with artificial slate roofs. They have a simple form with pitched roofs and some have gable roof details. Entrance canopies are provided on the principal elevations. The appearance of the proposed dwellings is acceptable and accords with Policy SP6 (Placemaking).

Leisure and Open Space

An Open Space assessment has been carried out and the requirement in the area is for 1.06Ha of useable open space in accordance with Supplementary Planning Guidance LD8 (Protection of Open Space). The assessment found that there is 1.2Ha of useable open space remaining, should the site be developed. In addition there is access to other open space falling outside of the remit of the assessment including the Cwm Las riverside walk, which falls just outside of settlement limits.

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There is also sufficient formal open space in the area (totalling 2.56ha. It is therefore considered that there is sufficient recreational amenity and visual amenity in the area. It is noted that the site may be used by dog walkers however the land has no significant value as an area of visual amenity. The development complies with Policy CW7 (Protection of Open Space).

The development does not include any public open space or play facilities and therefore would not meet the criteria of Policy CW10 (Leisure and Open Space Provision) however it is noted that the Cwm Las playing field is located approximately 100m to the east of the site which includes an equipped playground area.

The supporting text in Policy CW10 states that "Where sufficient open space exists adjacent to the development site, developers will need to consider how to exploit this resource and thus provide well-designed public links within the development to these areas of land through a new footpath and/or cycle path provision." Informal paths presently exist outside of the southern boundary of the application site across third party land towards the open space, however were these to be prohibited in the future it is noted that the planning layout includes provision of a three metres wide pedestrian link adjacent to the pumping station to connect with the existing lane onto Plasturtwyn Terrace which would facilitate alternative access to the existing play facilities via Wingfield Crescent.

It is therefore considered that there are no site-specific impact mitigation requirements in respect of open space or play facilities in this instance.

Comments from Consultees: These have been addressed within the body of this report.

Comments from public:

- Planning Committee Members should undertake a site visit
This would be a matter for Members to consider whether this is appropriate.
- Sewerage issues / Existing sewerage system is running at capacity and in times of heavy rain overflows
Dwr Cymru have been consulted and have offered no objections to the scheme and confirmed capacity is acceptable.
- No feedback from Pre-Application Consultation by applicants/agent
The applicant carried out the Pre-Application Consultation as required by legislation and also held a meeting. They were not required to provide feedback to individuals.
- Why is application stating Affordable houses when applicant confirmed at Pre-application consultation that they are all to be allocated for social housing?
The definition of Affordable housing includes social rented housing.

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- Wish to submit an alternative proposal for the land
The application has been considered on the basis of the submission.
- Site is not allocated within the LDP for housing
This has been considered within the body of the report.
- Loss of Privacy
- Overbearing impact
- The 10.5m distance from the rear elevation of proposed residential blocks facing the bungalows to the east is breached in some cases by 1m reduces the standard privacy distance to an unacceptable degree
- Unacceptable overlooking

The site layout and impact on neighbour amenity has been considered within the report under Neighbour Amenity. The reference to 10.5m is understood to refer to advice on garden lengths and is not an adopted policy. In instances where the new properties' garden lengths are below 10.5m in relation to the bungalows on Heol Ty Gwyn, where the proposed properties are "back to back" with the bungalows an overall separation distance of 21m between habitable room windows is achieved. It is considered that there would be no unacceptable impact in terms of light, overbearing effect or introduce any unacceptable overlooking or loss of privacy.

- The development is out of keeping with the low density and scale of the housing in Heol Ty Gwyn
- Overdevelopment

It is noted there is a mixture of bungalows and 2 storey houses within Llanbradach which includes areas of higher density terrace dwellings and new build development such as Bluebell View. In this existing context the proposed development is considered to be acceptable and appropriate in scale and density and would not result in overdevelopment of the site.

- Increase in noise and disturbance
- Increase in air pollution

The Environmental Health Officer has reviewed the proposed development and offered no objections from a noise or air quality perspective.

- Likely Structural damage to existing properties from construction works
- Devaluation of property request compensation for existing residents

This would be a matter for the developer in terms of construction works and property devaluation is not a material planning consideration.

- Negative impacts of additional vehicle movements on an already congested road network

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- Highway safety including increased risk of accidents
- Inadequate access to site
- Existing parking problems in the area and Loss of existing parking for residents
- Lack of enforcement of existing parking regulations (double yellow lines)
- Increase in traffic through rear lane will make existing residents use of garages more difficult and children play in the lane
- Loss of parking and replacement parking unsuitable due to safety issues and likelihood of theft/vandalism

The Transportation Engineering Manager has reviewed the scheme and subject to planning conditions addressing detailed highway considerations have offered no objections to the development.

- Will increase already unacceptable antisocial and criminal activity in Llanbradach

It is not considered that the scale or nature of the development is such that it would have a material impact in this regard

- Loss of Wildlife/ Wildlife report does not reflect species seen on site

The Council's Ecologist has reviewed the submitted ecological reports and considers them acceptable. Planning conditions are proposed in respect of site clearance for breeding birds and in respect of requiring adherence to the recommendations of the reptile survey.

- Unsuitable site due to Flood risk and have an adverse impact in terms of flooding on neighbouring properties and increase insurance premiums

Natural Resources Wales have been consulted and have considered the submitted Flood Consequence Assessment, its impacts on both the site and neighbouring properties and have offered no objection to the development subject to a condition requiring the development plateau being raised to a minimum level.

- Site should be an allotment/ community garden for local community and educational use. It could be used to encourage wildlife

The application has been considered on the basis of the scheme as submitted. In terms of alternative proposals this would be a matter for the land owner to consider.

- Adverse impact on the settlement of Llanbradach in terms of overpopulation
- Increase pressure on existing community facilities e.g. schools, doctor practices and dentists

The scale of the development within settlement limits is not considered to result in overpopulation. The 21st Century School Officer has advised that there are sufficient school places to cope with the additional dwellings.

Cont....

Application 18/1089/FULL Continued

- Loss of green/open space

This has been considered and has been deemed acceptable

- Japanese Knotweed

A planning condition in respect of Knotweed would be imposed on any permission.

- Will material be imported or exported on site

It is anticipated that some material will need to be imported onto site to comply with Natural Resources Wales requirements in terms of raising the development plateau. The Environmental Health Officer has recommended a planning condition be imposed that requires soils or hardcore to meet agreed standards or otherwise the developer would have to provide details of testing for contamination.

- Should have been wider consultation of residents

The application has been subject to pre-application consultation by the applicants and the application has been publicised in accordance with legislation.

- Car Headlights shining into existing properties

It is not considered that this would be likely to be a significant problem due to the site layout and positioning of car parking within the development generally in front of the new dwellings and the installation of boundary treatments as part of the development.

- Source of Data used within Transport Statement

The Transportation Engineering Manager has reviewed the Transport Statement and has raised no objections to the data used within it.

- No Coal Mining report

The site is within a Low Risk area for Coal Mining and as such no Coal Mining Risk Assessment was required to be submitted. A site investigation was submitted in support of the application.

- Site Investigation report undertaken during an extended period of dry weather and still groundwater was encountered

The Environmental Health Officer has reviewed the submitted Site Investigation and has offered no objections to the development.

- No need for extra housing in Llanbradach

Cont....

Application 18/1089/FULL Continued

This statement has not been justified by the objector and the Housing Land Supply indicates a deficit in terms of the 5 year land supply within the Authority.

- Property devaluation

This is not a material planning consideration.

- Will have detrimental effects on existing residents health and well-being from the proposed development and Vulnerable residents live adjacent to the site.

The application has been considered in terms of its impact on existing residents which surround the site and it is not considered that the development will have so severe an impact to warrant refusal on this basis.

- Vibration from Construction leading to concerns over structural damage to existing properties. Request developer or Council inspect all properties prior to construction starting

This would be a private matter for the developer to consider.

- Housing should be provided for existing Elderly population to downsize and free up existing properties within the area

The Affordable housing officer has offered no objection to the type of development proposed.

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.

RECOMMENDATION that (A) the application be deferred to allow the applicants to enter into a Section 106 Obligation to provide the following:-

1. 40% provision of Affordable Housing.

On completion of the Section 106 Obligation that (B) planning permission is granted subject to the following conditions:

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.

Cont....

Application 18/1089/FULL Continued

- 02) The development shall be carried out in accordance with the following approved plans and documents:
Site Location Plan, drawing reference (90)001
- Proposed Site Layout, drawing reference (SK)001V, received 20.02.19;
- Proposed Site Layout, drawing reference (SK)002-1T, received 19.02.19;
- Proposed Site Layout, drawing reference (SK)002-2T, received 19.02.19;
- Proposed Floorplans Blocks 1 and 4, drawing reference (SK)003, received 21.12.18;
- Proposed Floorplans Blocks 3, drawing reference (SK)004A, received 21.12.18;
- Proposed Floorplans Blocks 2, 7 and 8, drawing reference (SK)005A, received 21.12.18;
- Proposed Floorplans Block 5, drawing reference (SK)006, received 21.12.18;
- Proposed Floorplans Block 6, drawing reference (SK)007, received 21.12.18;
- Proposed Floorplans Block 9, drawing reference (SK)008, received 21.12.18;
- Proposed Floorplans Block 10, drawing reference (SK)009, received 21.12.18;
- Proposed Street Elevation East Elevation, drawing reference (SK)011, received 21.12.18;
- Proposed Block Elevations, drawing reference (SK)012A, received 21.12.18;
- Proposed Block Elevations, drawing reference (SK)013, received 21.12.18;
- Dusk to Dawn Ecology Ltd Reptile Survey received 21.12.18;
- Dusk to Dawn Ecology Ltd Extended Phase One Survey received 31.01.19;
- Integral Geotechnique Site Investigation Report reference 11909/GNS/16/SI, received 21.12.18;
- Integral Geotechnique Letter report reference 11909/JJ, received 21.12.18;
- Lime Transport, Transport Statement, reference 18192 d1 rev A, received 21.12.18;
- Earth Science Partnership, Flood Consequence Assessment Report reference ESP.5561s.03.2947 Rev3, received 29.01.19;
- Treescene Arboricultural Method Statement and Tree Protection Plan, received 05.02.19
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format 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.
- 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Cont....

Application 18/1089/FULL Continued

- 05) Prior to the commencement of works on site, a scheme to prevent mud and other debris being deposited on the public highway shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed scheme.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to the commencement of work on site, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.
REASON: To encourage the use of a variety of transport options in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 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, 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 of 2.4m metres x 39m metres when measured at the centre of the existing access.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 09) The existing access from Wingfield Terrace to the application site shall be improved in accordance with a scheme to be first submitted to and agreed in writing with the Local Planning Authority. The improvements shall be in the form of footway provision, parking layby provision, street lighting and highway drainage provision. The scheme shall also allow for the provision of 17 parking spaces located to the side/rear lane of Plasturtwyn Terrace. The highway improvement works and new parking areas shall be completed in a timescale to be firstly agreed in writing with the Local Planning Authority.
Reason: In the interests of Highway Safety.

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Application 18/1089/FULL Continued

- 10) The development permitted by this planning permission shall only be carried out in accordance with the recommendations of the submitted Flood Consequence Assessment Report produced by Earth Science Partnership, reference ESP.5561s.03.2947 Rev3, dated January 2019. In particular the following is required:
 1. The development plateau level shall be set no lower than 77m Above Ordnance Datum (AOD)
REASON: To address the flood risk due to the location of the development within a designated flood zone.

- 11) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 12) The development hereby approved shall be carried out in accordance with the recommendations made in Section 6 of the Reptile Survey Report dated December 2017 prepared by Dusk to Dawn Ecology Ltd; unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection and mitigation for protected species in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 13) Prior to the commencement of works on site, a method statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Japanese Knotweed and Himalayan Balsam on site. The treatment of Japanese Knotweed and Himalayan Balsam shall be carried out in accordance with the approved details.
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to "introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act" . Japanese Knotweed and Himalayan Balsam is included within this schedule. All Japanese knotweed waste (the plant itself or material containing its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.

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Application 18/1089/FULL Continued

- 14) Prior to the occupation of the development hereby approved, roosts and a means of access for bats shall be provided as part of the approved development and in accordance with the supplementary specification details attached to this decision notice.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales and Tan 5 Nature Conservation and Planning (2009) in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) Prior to the occupation of the development hereby approved, nesting sites for birds shall be provided as part of the approved development and in accordance with the supplementary specification details attached to this decision notice.
REASON: To provide additional roosting for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales and Tan 5 Nature Conservation and Planning (2009) and in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 16) 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.
- 17) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLG A 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.
- 18) 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.

Cont....

Application 18/1089/FULL Continued

- 19) Prior to the commencement of the development a Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority.
The scheme shall include:
(i) control of noise,
(ii) control of dust, smell and other effluvia,
(iii) control of surface water run-off,
(iv) site security arrangements including hoardings,
(v) proposed method of piling for foundations,
(vi) construction and demolition working hours,
(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.
The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 20) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. 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 in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 21) Notwithstanding the details submitted prior to the development commencing revised details of the boundary treatment/planting to plots 1 and 30 and to the northern site boundary and also brick detailing to the northern end elevation of block 1 shall be submitted for the written agreement of the Local Planning Authority. The development shall be completed in accordance with the agreed details.
REASON: In the interests of the visual amenity of the area.
- 22) 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.

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Application 18/1089/FULL Continued

- 23) 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 24) Prior to works commencing on site details shall be submitted for a minimum of 10% of the residential units to be constructed to make provision to allow for the installation of electric charging points for vehicles.
REASON: In order to ensure that adequate mitigation is provided in respect of air quality in the interests of residential amenity and to comply with paragraph 4.1.39 of Planning Policy Wales.

Advisory Note(s)

Please find attached the comments of Western Power Distribution, Dwr Cymru/Welsh Water, Head of Public Protection, and Wales & West Utilities that are brought to the applicant's attention.

The applicant will be required to enter into a formal highway agreement under Section 278 of the Highways act 1980 in order to undertaken the necessary highway improvements.

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.

