

Application Number: 21/0452/FULL

Date Received: 25.11.2021

Applicant: LINC Cymru

Description and Location of Development: Erect residential development of 45 No. units with associated vehicular and pedestrian accesses, car parking, amenity areas, cycle and bin store, landscaping and ancillary development - Former Caerphilly Police Station Mountain Road Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of Mountain Road and to the south of Bronrhiw Fach.

Site description: The application site comprises of the former Caerphilly Police Station site and has a site area of approximately 0.39 hectares. The site is located in a predominantly residential area on the outskirts of Caerphilly Town Centre. The former police station building has previously been demolished and the remainder of the site includes the former car park and small landscaped areas associated with the former use. Whilst the majority of the development area is on a relatively flat plateau of hardstanding, there are steep banks to the north and east boundaries and retaining walls to the south and west of the site. The site is set back from the main street frontage of Mountain Road and is accessed from Mountain Road via Bronrhiw Fach.

The site is surrounded by residential properties to the north, south and east. Adjoining the western boundary of the site is a youth services office building with further residential properties on the opposite side of Mountain Road.

Development: Full planning permission is sought for the erection of two apartment buildings that would provide a total of 45 affordable units. The proposed 5 storey apartment building would be located in the southern part of the site and would provide 12 No. 2 person/1 bed integrated care apartments, 8 No. 3 person/2 bed general needs apartments and 19 No. 2 person/1 bed general needs apartments. The integrated care apartments would benefit from an additional communal lounge and kitchen area as well as a third floor roof terrace. The occupants of these apartments would also receive support from on-site staff that would have access to a staff bedsit. The proposed 3 storey apartment building would be located in the western part of the site and would provide 6 No. 2 person/1 bed general needs apartments.

Dimensions: The proposed 5 storey apartment building would incorporate a flat roof design and would have a maximum height and width of approximately 15m and 52m

respectively. The proposed depth of the building would vary between approximately 13.2m and 15.4m.

The proposed 3 storey apartment building would incorporate a pitched roof design and would have a ridge and eaves height of approximately 11m and 8.3m respectively. The width and depth of the building would measure 14m and 9.7m respectively.

Materials: The proposed apartment buildings would primarily be finished in a mixture of buff coloured render, buff and dark grey bricks and dark grey aluminium framed windows and doors. The pitched roof of the proposed 3 storey building would be finished in dark grey slate tiles, while the flat roof of the 5 storey building would comprise of a mixture of a grey metal roof, a green roof, stone paving and decorative stone ballast. Additional details for the 5 storey apartment building would include dark grey metal cladding, aluminium louvres, railings and decorative metal screening.

Ancillary development, e.g. parking: In terms of ancillary development, the proposed apartment buildings would be served by 33 onsite car parking spaces, including 4 disabled spaces. A separate bike store is also proposed in the south western corner of the site. An area of open space is proposed to front of the buildings, which would also function as a sustainable drainage feature, and a footway link is proposed to the rear of the 5 storey building linking the site to the existing social housing on the former magistrate's court site immediately to the south.

PLANNING HISTORY 2010 TO PRESENT 14/0555/NOTD - Demolish buildings at Former Caerphilly Police Station - Approval of method of demolition and restoration of site 30.10.14.

17/0473/FULL - Erect part two, part three, part four storey building comprising 43 retirement apartments with associated communal lounge, guest suite, electric buggy store and other communal facilities including car parking, substation and landscaped grounds - Refused 22.02.18.

17/1027/FULL - Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure - Granted 08.06.18 & S.106.

17/1034/NOTD - Demolish former Magistrates' Court - Prior Approval Not Required 22.12.17.

18/0601/COND - Discharge condition 03 (Drainage) of planning application 17/1027/FULL (Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy

and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure) - Decided - 17.10.2018.

18/0602/COND - Discharge Conditions 8 (Japanese Knotweed Method Statement), 9 (Groundwater and Gas Monitoring) and 18 (Trees) of Planning Consent 17/1027/FULL Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure -Decided - 29.08.2018.

18/0603/COND - Discharge Conditions 12 (Site Control), 13 (Construction - Engineering Details), 16 (Highway Improvements) and 17 (Construction - Traffic Management Plan) of Planning Consent 17/1027/FULL Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure - Decided - 29.08.2018.

18/0713/NMA - Seek approval of non-material amendment to planning consent 17/1027/FULL (Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure) to replace approved external facing brick, omit saw tooth panel feature, rearrange rear garden of terraced houses (block B), omit additional support at the base of crib-lock retaining wall and alter colour of pavements to be used in external spaces - Granted - 06.09.2018.

19/0297/COND - (Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure) - Decided - 04.06.2019.

20/0016/NMA - Seek approval of non-material amendments to planning consent 17/1027/FULL (Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure) - Granted 07.02.2020.

20/0453/COND - Discharge condition 7 (Light Mitigation Strategy) of planning consent 17/1027/FULL (Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure) - Decide - 25.09.2020.

20/0654/COND - Discharge condition 10 (Contamination - soil import testing) and 11 (Contamination - validation) of planning consent 17/1027/FULL (Demolish Caerphilly Magistrates' Court building and re-develop with 38 No. dwellings (comprising 34 No. apartments and a terrace of 4 No. houses), together with associated vehicular and pedestrian accesses, car parking, amenity areas, buggy and bin store, landscaping and ancillary development: site preparation, clearance, treatment, re-profiling and the installation of new services and infrastructure)

There has been a need to import soil for use in the soft landscaped areas. As required by condition 10, the soil was accompanied by a pre-importation certificate. This is included at Appendix A of the Validation Report. - Decide - 04.11.2020.

POLICY

Local Development Plan: Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Policies Within settlement limits.

Local Development Plan: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP10 (Conservation of Natural Heritage), SP14 (Total Housing Requirements), SP15 (Affordable Housing Target), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW6 (Trees, Woodland and Hedgerow Protection), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints) and CW18 (Locational Constraints - Housing for People in Need of Care).

Supplementary Planning Guidance LDP 4 Trees and Development sets out guidance on the protection and integration of trees in new developments.

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

National Policy: Paragraph 3.9 - The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a

proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

Paragraph 3.16 - Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence. In the event of an appeal, in these circumstances, the Planning Inspectorate will need to examine the issues in detail and consider if the proposal meets the objectives of good design including the relationship between the site and its surroundings.

National Planning Guidance contained in Technical Advice Note 2 - Planning and Affordable Housing and Technical Advice Note 12 - Design.

Future Wales - The National Plan 2040 sets out the spatial strategy for Wales for the next 20 years and provides policies that should be taken into account in the determination of applications at all levels. The following policies are considered to be relevant to the proposed residential development: Policy 2 (Shaping Urban Growth and Regeneration - Strategic Placemaking), Policy 7 (Delivering Affordable Homes), Policy 9 (Resilient Ecological Networks and Green Infrastructure), Policy 12 (Regional Connectivity) and Policy 13 (Supporting Digital Communications).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within a high risk area; however, a site investigation report submitted with the application has adequately demonstrated that the site would not be affected by previous mine workings.

CONSULTATION

Head Of Public Protection - CCBC - No objection subject to conditions relating to a contamination scheme and construction method statement.

CCBC Housing Enabling Officer - Advised that the proposed residential development is included in the Council's 2021/22 Programme Development Plan and will benefit from Welsh Government grant funding. The mix of units has also been agreed with the Council and the proposed 100% affordable housing scheme would be compliant with Local Development Plan affordable housing policy.

Head Of Public Services - No comments received.

The Coal Authority - No objection raised based on the intrusive ground investigation findings which are included within the submitted Site Investigation Report.

Ecologist - No objection subject to a condition relating to a biodiversity strategy.

CADW - No comments received.

Transportation Engineering Manager - CCBC - No objection subject to conditions relating to vehicular access, car parking, travel plan and a construction management plan.

Senior Engineer (Land Drainage) - No objection but attention is drawn to the fact that a sustainable drainage application remains under consideration by the Sustainable Drainage Approval Body.

Parks And Open Spaces - No comments received.

CCBC - 21st Century Schools - Advised that the schools within the catchment area have sufficient capacity to accommodate future pupils if the proposed development were to be approved.

Landscape Architect - CCBC - In principle the aims and objectives of the proposed hard and soft landscaping schemes and boundary treatment proposals are welcomed. However, additional information and revisions to certain details are required. Such matters can be dealt with by suitable soft / hard landscape and boundary treatment conditions.

Dwr Cymru - No objection.

Police Architectural Liaison Officer - No comments received.

Western Power Distribution - Advised that if the applicant/developer requires a new connection or a service alteration, a separate application will need to be made to Western Power.

Senior Arboricultural Officer (Trees) - No objection subject to a revised landscaping scheme being secured.

ADVERTISEMENT

Extent of advertisement: The application was originally advertised by means of site notices, neighbour letters and a press notice. A further re-consultation exercise, which also included site notices, neighbour letters and a press notice, was undertaken as a result of an amendment to the proposed development which increased the number of proposed units from 37 to 45.

Response: The initial public consultation exercise resulted in the submission of 68 objections and 1 comment of support. An objection from Caerphilly Town Council was also received as well as a letter from the MP for Caerphilly requesting that concerns raised by a constituent are taken into consideration when determining the planning application. Following the re-consultation exercise a further 4 objections were received, including 1 from Caerphilly Town Council.

Summary of observations: The objections raised are summarised as follows:

- Unacceptably high housing density which would result in the over-development of the site.
- Excessive scale of the development particularly in terms of the height of the proposed 5 storey building.
- Development not in keeping with the local vernacular architecture or the character and appearance of the area.
- Development would have an unacceptable visual impact, dominating the skyline and the urban and surrounding landscape.
- The adjacent magistrate's court housing scheme is already an eyesore and the proposed development would compound the unacceptable visual impact.
- Development should be restricted to 2 storeys and 20 dwellings with a park for existing and new residents.
- Development out of keeping with Caerphilly as a historic town which has Caerphilly Castle as a major tourist attraction.
- Unacceptable impact on surrounding properties by means of overbearing, overlooking and loss of light.
- Concern over rooftop garden.
- Detrimental impact on local amenity during construction phase.
- The existing highway network is unable to cope with additional traffic, especially at peak traffic times and during school pick-up and drop-off times.
- There are a number of junctions within close proximity at Mountain Road serving the comprehensive school, the magistrate's court housing scheme, Bronrhiw Fach and the application site, which give rise to highway capacity and safety concerns.

- Parking issues already exist as a result of the magistrate's court housing scheme and the lack of car parking proposed would result in further overspill car parking on to Mountain Road.
- If development goes ahead further traffic calming measures are required along Mountain Road to reduce traffic speed.
- Access for emergency vehicles has not been considered.
- Increase in noise and carbon emissions in the area.
- Devaluation of local properties.
- Loss of trees.
- The steep topography to town centre makes the pedestrian route inaccessible to future residents.
- Development would be a strain on local amenities.
- A new bus stop would become a hangout for vandals.

A more sustainable and eco-friendly building should be proposed with more renewable energy technologies and green growing on the building.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?
None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, the proposal is unlikely to have a significant impact on biodiversity. However, Policy 9 of Future Wales - The National Plan 2040 states that action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment. In that regard biodiversity enhancements will be sought as part of this development.

Is this development Community Infrastructure Levy liable? Yes - the site is located in the higher viability area where CIL is charged at £40 per square metre plus indexation.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The application site is located within the settlement boundary within which development is normally permitted subject to other Local Development Plan (LDP) policies and material planning considerations (LDP Policy SP5). This brownfield site is unallocated according to the LDP Proposals Map and is located within a predominately residential area. The proposed residential development would therefore be compatible with neighbouring land

uses and would make a positive contribution to the development strategy for the Southern Connections Corridor which, among other things, seeks to promote the use of brownfield sites that have regard to the social and economic function of the area (Policies SP3 and CW15). The principle of the proposed development is therefore considered to be acceptable in this urban location.

In terms of housing need, Policy SP14 makes provision for 10,269 new dwellings in the County Borough between 2006 and 2021 in order to deliver the 8,625 new dwellings required to meet the moderate growth strategy of the LDP. The most recent Annual Monitoring Report (AMR) of the LDP was approved in October 2021 and indicates that only 5,588 units had been delivered up to the end of March 2021. This represents only 65% of the overall adopted LDP total housing requirement and equates to a shortfall of 3,037 units with only nine months of the plan period remaining at that time. The affordable housing target of delivering at least 964 affordable units between 2006 and 2021 (Policy SP15) is also not being met and the AMR acknowledges the necessity to have adequate regard to the need to increase housing land supply in the consideration of proposals for new residential development on a site-by-site basis.

The proposed residential development would provide 45 units all of which (100%) would be affordable. This exceeds the 40% affordable housing planning obligation requirement for windfall housing sites in the local area (Policy CW11) and the policy compliant element of affordable housing can be secured by a legal agreement under Section 106 of the Town and Country Planning Act 1990. It is therefore considered that the proposed development would make a meaningful contribution to addressing the shortfall in housing provision within the County Borough and accordingly, the proposal would meet the requirements of Policies SP14 and SP15 of the LDP and Policy 7 of Future Wales.

In respect of the local context, the surrounding area is characterised by a mixture of building styles with houses being predominately 2 storey in height. The redevelopment of the former magistrate's court site to the south has, however, introduced a larger scale (4 storey) apartment building into the townscape which has a more modern, contemporary design and appearance which is also replicated in the associated terrace block fronting Mountain Road. The application site is setback from Mountain Road and would be largely screened from views within the street by existing trees along the site's western and southern boundaries. The site is also cut into the hillside, sitting beneath the former magistrate's court residential scheme to the south and the existing non-residential building to the west.

The proposed residential development does not attempt to replicate the more traditional character and styles of houses within the local area. Instead, the design approach seeks to integrate the proposed 5 storey and 3 storey apartment buildings with the more modern and contemporary residential development on the former magistrate's court residential scheme. Such an approach is considered to be acceptable given that the proposed apartment buildings would be set back from Mountain Road and would sit within the context of the existing 4 storey apartment building when viewed from the wider area. It also recognised that the existing and proposed residential schemes, which

would both be managed by Linc Cymru Housing Association, would have a functional relationship with the introduction of a new pedestrian link between the two sites.

The proposed 5 storey apartment building has therefore been designed to be in keeping with the magistrate's court apartment building, incorporating a flat roof design and a strong vertical emphasis in fenestration which helps break up the mass of the building. The staggered front building line of the proposed apartment building, the variation in roof height (increasing from 3 storeys from its eastern end to 5 storeys to its western end) and the use of a variety of materials also helps to visually reduce the scale and massing of the proposed building. Moreover, the proposed contemporary materials would add visual interest to the building, whilst also complementing the materials used in the adjacent magistrate's court residential scheme. It is therefore considered that the proposed 5 storey apartment building would be of an acceptable design and would sit comfortably within the context of the site.

The proposed 3 storey apartment building would have more of a townhouse style and appearance with a pitched roof design and vertical emphasis in fenestration. The proposed design of this apartment building is considered to be visually acceptable and the proposed materials would be similar to those proposed for the proposed 5 storey apartment building. This would create a coherent design approach for the proposed residential development as a whole, whilst also complementing the character and appearance of the former magistrate's court residential scheme. It is also considered that the proposed scale of the apartment building would sit comfortably between the more traditional two storey houses within the local area and the existing and proposed larger, more contemporary apartment buildings.

It is therefore considered that the proposed residential development has had regard to the local context and is of an appropriate scale and design in keeping with the character and appearance of the local area and wider townscape. Accordingly, the proposed residential development would meet the requirements of Policy SP6 in respect of this matter.

With regard to residential amenity, the proposed residential use is, in principle, considered to be compatible with neighbouring land uses which are also primarily residential in nature. A number of objections have, however, been raised by local residents on the basis that the proposed 5 storey apartment building would have an unacceptable overbearing, overshadowing and overlooking impact. Whilst it is acknowledged that the proposed 5 storey apartment building is significantly taller than the typical two storey houses within the local area, the separation distances between the proposed building and surrounding properties are considered to be sufficient to prevent any unacceptable impact on the residential amenity of the occupiers of such properties. The separation distances are as follows:

- Approximately 34 metres between the proposed 5 storey apartment building and the nearest residential property to the north at Bronrhiw Fach.

- Over 30 metres between the proposed 5 storey apartment building and the residential properties to the east at Bronrhiw Avenue.
- Over 20 metres between the proposed 5 storey apartment building and the non-residential building to the west, which is also at a higher land level and only has secondary windows facing towards the application site.
- A minimum of 14 metres between the proposed 5 storey apartment building and the existing apartment building to the south, which is also at a higher land level.

It should also be noted that the proposed apartment building would only be 3 storeys in height at its eastern end before stepping up to 4 storeys and then 5 storeys along the remainder of its width. The scale and mass of the building would therefore be reduced to some extent when viewed from properties at Bronrhiw Avenue to the east and the apartment building to south.

Concerns have been raised by local residents in relation to the proposed roof terrace located on the 3-storey element of the apartment building. The proposed terrace would, however, only be used by future residents of the integrated care facility units located within the eastern part of the proposed building. Moreover, in addition to the adequate separation distances to surrounding residential properties highlighted above, a privacy screen is proposed along its eastern perimeter which would prevent any unacceptable overlooking/loss of privacy to the residential properties at Bronrhiw Avenue. The exact details of the proposed screening can be secured via condition.

Turning to the proposed 3 storey apartment building, this building would be located on the western part of the site and would maintain an adequate separation distance of approximately 21 metres from the nearest residential property at Bronrhiw Fach to the north. Whilst a smaller separation of approximately 12 metres would be maintained between the proposed 3 storey apartment building and the non-residential property to the south-west, this adjacent property is also positioned at a higher land level with only secondary windows facing towards the site. It is not therefore considered that the proposed 3 storey apartment building would have an unacceptable overbearing, overshadowing or overlooking impact on surrounding properties.

Additional concerns have been raised by local residents in relation to noise impacts and impacts on amenity during the construction phase of development. It is not, however, considered that the proposed residential development would generate unacceptable levels of noise given that it would be compatible with surrounding residential uses. Moreover, any amenity impacts during the construction phase of the development would be temporary and capable of being adequately controlled through the implementation of a construction working method statement. The Council's Environmental Health Officer has recommended that the latter is secured by an appropriately worded condition and has raised no noise or other amenity concerns in relation to the proposed residential development.

In summary, it is therefore considered that the proposed residential development is compatible with neighbouring land uses and would not have an unacceptable impact on

the residential amenity of surrounding properties by means of overbearing, overshadowing or overlooking. Accordingly, the proposed residential development would meet the requirements of Policy CW2.

In relation to highways and parking matters, the proposed residential development would be accessed from the carriageway at Bronrhiw Fach which connects to the B4263 Mountain Road. No alterations are proposed to the existing highway network which is adequately served by footpaths, dropped kerbs, road widths and visibility splays. The proposal would also be served by 33 onsite car parking spaces and 26 cycle parking spaces, and the servicing of the site, such as refuse collection, would take place within the site.

In respect of trip generation, the submitted Transport Statement (TS) indicates that the proposed residential development is likely to generate 8 trips during the AM peak period, 9 trips during the PM peak period and 96 daily total trips. When compared with the former police station use it is estimated that whilst the proposed residential development is likely to have a slightly higher number of trips across the 12-hour day, the number of trips during peak hour periods would be fewer than those generated by the former police station use. As such, the TS concludes that the proposed development would not have a material impact on the safety or operation of the local highway network. The Council's Highway Engineer has reviewed the findings of the TS and has raised no objection to the proposal on highway capacity or safety grounds.

With regards to car parking provision, the submitted TS demonstrates that the application site is located in a highly sustainable location with good access to local facilities and public transport found within the Caerphilly Town Centre boundary which is located approximately 200 metres to the north. As such, a reduction in car parking provision is considered to be justified based on the sustainability criteria set out in Schedule 6 of the adopted LDP5 - Car Parking Standards SPG. The submitted TS also indicates that the future residents of the 12 No. integrated care units are unlikely to own cars due to their special care needs, and that based on 2011 census car ownership data for the St Martin's Ward, car ownership levels for the residents of the apartments are likely to be much less than the 33 onsite car parking spaces proposed. As such, the TS concludes that the proposed level of car parking provision is sufficient to meet the needs of future residents and visitors without having an unacceptable impact on the surrounding highway network. The Council's Highway Engineer has considered the car parking assessment within the TS and has raised no objection to the proposed residential development.

It is noted that the objectors to the proposed residential development have raised concerns over the potential for car parking to overspill onto the surrounding highway network. However, there are parking restrictions in the form of double yellow lines along both carriageways at Bronrhiw Fach and Mountain Road that would deter on street parking in the unlikely event that additional car parking was required. In the unlikely scenario that future on street parking did occur despite the parking restrictions in place, this would be matter for civil parking enforcement.

In addition to the above, a Travel Plan (TP) has been submitted with the application that seeks to reduce the need to travel, promote local pedestrian and cycle routes, promote public transport and ensure safe and easy access for all site users. In doing so, the proposed residential development would incorporate good sustainable travel practices and reduce reliance on the private car. The measures proposed within the TP include, among other things, the provision of onsite site cycle storage, the appointment of a travel plan co-ordinator for a period of four years, the provision of travel information packs and a £100 sustainable travel voucher for each household, and a £15,600 financial contribution to the cost of delivering a demand responsive minibus service. The Council's Highway Engineer has reviewed the submitted TP and considers it to be broadly acceptable subject to the financial contribution being secured via a Section 106 agreement and a revised/updated TP being secured via an appropriately worded condition.

In summary the proposed residential development is considered to be located in a highly sustainable location and would be provided with a sufficient level of onsite car parking that would meet the needs of future residents. The surrounding highway network is also considered to have sufficient capacity to accommodate the increase in vehicular movements generated by the proposed development and visibility splays are considered to be acceptable. As such, the proposed development would not have an unacceptable impact on the safe, effective and efficient use of the transportation network and accordingly, meets the requirements of Policy CW3.

In terms of ecology, the submitted Ecological Assessment (EA) states the main area of hardstanding in the central part of the site has negligible potential for wildlife, while the smaller areas of semi-improved natural grassland, scattered trees, dense scrub, ornamental planting, stone wall and rubble pile have no greater than a local value for wildlife. Moreover, the EA concludes that subject to adequate mitigation measures that avoid/minimise impacts on protected species, the site can be developed without causing unacceptable impacts on wildlife.

The Council's Ecologist has reviewed the submitted EA and accepts the findings and recommendations contained within it. As such, no objection has been raised to the proposed residential development provided that a condition is imposed that secures a biodiversity strategy that includes biodiversity conservation and enhancement measures. It is therefore considered that the proposed residential development would not have an unacceptable impact on local priority habitats or species and accordingly, meets the requirements of Policies SP10 and CW4.

In respect of existing trees on site, the submitted Arboricultural Impact Assessment (AIA) recommends that 7 existing trees which are in poor condition should be removed for arboricultural reasons. The AIA also indicates that only a single birch tree, which has been assessed as being of low quality (Category C), would need to be removed at the southern end of the site to facilitate the proposed footpath that would link the former magistrate's court housing scheme to the proposed residential development. An

Arboricultural Method Statement and Tree Protection Plan have also been submitted which set out details of the measures that would be put in place to protect the trees that would be retained as part of the proposed development.

The Council's Arboricultural Officer has reviewed the aforementioned arboricultural reports and protection plan and confirmed that the details are satisfactory. As such, no objection has been raised in relation to the impact of the proposed residential development on existing trees within or adjacent to the application site. Accordingly, the proposal is considered to meet the requirements of Policy CW6.

In relation to soft and hard landscaping, the submitted landscape masterplan illustrates how existing trees and areas of existing scrub and ornamental planting would be retained and integrated with the proposed landscaping features of the residential development. A central feature SuDS garden would be located to the front of both apartment buildings and would function as a key communal space. The SuDS garden would include a pond with marginal water and wildflower planting, ornamental hedgerow, feature trees, paths and outdoor seating. Communal gardens and drying areas are also proposed in the south-eastern corner of the site to the side and rear of the proposed 5 storey apartment building and to the rear of the proposed 3 storey apartment building in the western part of the site. Proposed ornamental shrub, wildflower, hedgerow and tree planting would also be undertaken at key locations across the site.

The Council's Landscape Architect has confirmed that the landscaping proposals are acceptable in principle, and it is considered that they would generally utilise green infrastructure to good effect, providing an appropriate visual setting for the proposed residential development. However, the Landscape Architect has raised some specific concerns over the appropriateness of proposed amenity grassland in potentially shaded parts of the site and further details of species type, size, location and maintenance regime are considered necessary. Alternative boundary treatments to those currently proposed are also considered necessary and additional details of proposed hard landscaping proposals are required. It is considered that such matters can be adequately addressed via conditions securing the submission and approval of revised/additional hard and soft landscaping and boundary treatment details.

In terms of surface water management, the proposed residential development would incorporate a range of sustainable drainage features, comprising of swales, water butts, rain gardens, an attenuation pond, infiltration trenches and permeable paving. As the proposed development is for more than one dwelling, these details require a separate consent from the Sustainable Drainage Approval Body (SAB). The Council's Drainage Engineer has confirmed that a full sustainable drainage application has been submitted to the SAB.

Comments from Consultees: Caerphilly Town Council has raised a number of concerns relating to the over-development of the site, increase in traffic generation and the overbearing impact on the visual amenity of the town centre due to the height of the

proposed development. Matters relating to traffic generation and the visual impact of the proposed development have been addressed above. With regards to the high density development proposed and the potential for over-development of the site, it is recognised that criterion B of Policy CW2 states that proposal should not result in over-development of the site. However, this requirement also needs to be balanced against other policy requirements within the LDP such as, criterion F of Policy SP6 which states that development proposals should contribute to creating sustainable places through the efficient use of land, including higher densities where development is close to key transport nodes. This requirement is also reflected in Planning Policy Wales (Edition 11) which states that planning authorities need to ensure that they make the most efficient use of land in their areas and encourage higher densities on sites in town centres and other sites which have good walking, cycling and public transport (see paragraph 4.2.22). Similarly, one of the key strategic placemaking principles set out in Policy 2 of Future Wales is the need to increase population density, with built development at urban densities that can support public transport and local facilities.

As indicated above, the application site is located in a highly sustainable location with good access to Caerphilly bus and train station and a range of local services within Caerphilly Town Centre. As such, it is considered appropriate to accept a higher level of housing density on the application site, particularly as no unacceptable impacts on amenity or highway safety have been identified. Moreover, it is considered that the proposed residential development would be adequately served by open space, sufficient levels of car and cycle parking provision and refuse collection facilities within site. It is therefore considered that the proposal would represent a sustainable form of development that would not result in the over-development of the site.

Whilst Dwr Cymru/Welsh Water have requested the imposition of a condition regarding the provision of a potable water supply to the building, it is not considered that this is a material planning consideration and as such this information will be forwarded to the developer as an advisory note.

Comments from public: A number of the main concerns raised by local residents have been addressed above. A response to the remaining concerns is provided below.

In terms of a potential increase in carbon emissions in the local area, it should be noted that the submitted Air Quality Assessment states that the increase in traffic generated by the proposed residential development would have an insignificant effect on local air quality.

With regards to the potential for the development to be a strain on local amenities, the Council's 21st Century Schools Officer has confirmed that there is sufficient capacity within local schools to meet the needs of future children living in the housing development. The impact on local play facilities is also likely to be minimal as typically only the two bed apartments would be suitable for families with children and the proposal only includes eight apartments of this type. In addition, it is considered that in

contrast to putting a strain on local amenities, the proposed development will help support local shops and public transport, improving their viability.

In respect of concerns over the sustainable design of the proposed development, the proposed apartment buildings would incorporate elements of Passivhaus design principles, such as an improved thermal performance of the building envelope, air tightness levels that surpass building regulation requirements, whole house mechanical ventilation with heat recovery and a detailed analysis of solar gain and daylighting. The development would also incorporate low carbon heating and hot water technologies, with the proposed 5 storey apartment building benefiting from a communal air-source heat pump system. This building would also incorporate a green roof and roof mounted photovoltaic solar panels. It is therefore considered that the proposed residential development is acceptable in sustainable design terms.

In relation to concerns over the impact on Caerphilly as a historic town and Caerphilly Castle as a major tourist attraction, the proposed residential development is considered to be acceptable in visual terms as set out above. In addition, it should be noted that when viewed from Caerphilly Town and the wider area, the proposed apartment buildings would be seen within the context of the existing former magistrate's court residential scheme which sits above the application site. As such, the proposed 5 storey apartment building would not be higher than the skyline of the adjacent 4 storey apartment building or the associated terrace block of houses as illustrated on the submitted site sections plan. It is not therefore considered that the proposal would have an unacceptable impact on the character and appearance of Caerphilly Town or a negative effect on its tourism function.

Finally, concerns over the devaluation of local properties are not a material planning consideration and no new bus stop is proposed that could be associated with antisocial behaviour or vandalism.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the

recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

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.
2. A contribution of £15,600 towards enhancing transport provision for the elderly residents of the development and in particular the provision of a demand responsive minibus service three days a week.

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

If the obligation is not completed within three months of the resolution to approve, that the Head of Planning and Regeneration be granted delegated powers to refuse the application for failure to comply with Policy CW11 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

- 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:
 - Proposed Site Plan (Rev. A);
 - Proposed Site Layout Plan (Rev. A);
 - Proposed Ground Floor Plan (Rev. A);
 - Proposed First Floor Plan (Rev. A);
 - Proposed Second Floor Plan (Rev. A);
 - Proposed Third Floor Plan (Rev. A);
 - Proposed Fourth Floor Plan (Rev. A);
 - Proposed Roof Plan (Rev. A);
 - Proposed Terraces Elevations (Rev. B);
 - Proposed Block C and ICF Elevations (Rev. B);
 - Proposed Cycle Store;
 - Site Sections (Rev. A);
 - Arboricultural Impact Assessment Plan, dated 01/2022;
 - Tree Protection Plan, dated 02/2022;
 - Arboricultural Impact Assessment and Arboricultural Method Statement for the Former Police Station, Mountain Road, Caerphilly, prepared by Treescene Arboricultural Consultants, dated 17th February 2022; and

Site Investigation Report for the Former Police Station, Mountain Road, Caerphilly, prepared by Integral Geotechnique (Wales) Ltd, Document ref. 12475/GNS/19/SI/RevA.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

- 03) The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) The development shall not be brought into beneficial use until the areas indicated for the parking and turning of vehicles have been laid out in accordance with the approved plans. The parking and turning areas provided shall be kept available for their designated purposes at all times.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Prior to the commencement of work on site a revised/updated residential travel plan shall be submitted for the written approval of the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein. The plan will set out measures to promote and encourage sustainable travel for residents and visitors of the development and to help mitigate the impact of trips generated by the site.
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 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 in accordance with policy SP6 and CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Notwithstanding the details forming part of the submitted plans, prior to the commencement of the development a revised scheme depicting hard and soft landscaping together with a programme of long term maintenance of the 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.

- 08) Notwithstanding the details forming part of the submitted plans, prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the development is brought into beneficial use.

REASON: In the interests of the visual amenities of the area amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 09) 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.

- 10) 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 and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

- 11) Before any soils or hardcore are brought on to site a scheme for its 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 protect public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

- 12) Prior to the commencement of development, a biodiversity strategy shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity strategy shall be implemented as agreed.

REASON: To provide biodiversity conservation measures in accordance with policies SP10 and CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021, Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Planning Policy Wales (2021) and Technical Advice Note 5: Nature Conservation and Planning (2009).

- 13) The development hereby approved shall make provision for gigabit capable broadband infrastructure to serve the approved building. The necessary infrastructure required shall be installed prior to the occupation of the building.
REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 13 of Future Wales: The National Plan 2040.
- 14) No development shall commence on site until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Construction Method Statement shall include details of:
- hours of working;
 - the on-site parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used during construction works;
 - wheel washing facilities;
 - the erection and maintenance of security hoardings;
 - measures to control the emission of dust and dirt during construction works;
- and
- details of a scheme for the recycling/disposing of waste resulting from construction works.
- Thereafter the construction of the development shall be undertaken in accordance with the approved Construction Method Statement.
REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021- Adopted November 2010.

Advisory Note(s)

Notification of initiation of development and display of notice:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form

sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

The applicant/developer is advised to contact Dwr Cymru/Welsh Water in relation to the potential need for a scheme to reinforce the existing public water supply network. Dwr Cymru/Welsh Water can be contacted on 0800 917 2652 or via email at developer.services@dwrwymru.com.