

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0245/RM 08.04.2013	United Welsh Housing Association Mr P Seaborne Y Borth 13 Beddau Way Caerphilly CF83 2AX	Seek approval of the reserved matters regarding access, appearance, landscaping, layout and scale in connection with the construction of 35 dwellings and associated works approved under planning application 09/0469/OUT Former Coal Yard Llancaiach View Nelson Treharris

**APPLICATION TYPE:** Approval of Reserved Matters

#### SITE AND DEVELOPMENT

Location: Land at former Coal Yard, Llancaiach View, at the north-western end of Nelson. The site covers an area to the east of Llancaiach View, Nelson sandwiched between residential development and a railway line.

Site description: The north-eastern edge of the site shares a common boundary with the freight railway line that runs between Ystrad Mynach and Cwmbargoed. The line is currently used to transport coal from the Ffos-Y-Fran mineral extraction site located at Cwmbargoed. Beyond the railway line is open countryside. The south-western side of the site is bordered mainly by housing in Llancaiach Court, (which is another of United Welsh Housing schemes, together with The Star Club and B.T. Motors Commercial Vehicle Recovery business fronting Shingrig Road. The southern boundary is formed by a 2 metre high palisade fence and the site is currently accessed from Llancaiach View.

The topography of the site is predominantly level and comprises an area of waste ground, covered in hardstanding, grass and scrub. It is enclosed by tall weld-mesh fencing to the boundary with the railway line and close board fencing with the boundary to the rear gardens in Llancaiach Court. There is an area of standing water on the western boundary fenced off with temporary Heras fencing. Although there are very few trees on the site, there is a belt of young beech trees located adjacent to the railway line, which offer partial screening to the railway corridor.

There are also a number of infrequent young alder and goat willow self-seeded along the fence-line together with three larger early-mature goat willows.

Development: Application for approval of reserved matters in respect of 35 dwellings, which will be a combination of 2-and 3-bedroom houses and 1-and 2-bedroom flats. There are five different house types proposed. In respect of access, appearance, landscaping, layout and scale following grant of outline planning approval 09/0469/OUT. The information submitted also proposes to discharge conditions 1,3,6,7,11,14 and 15 attached to the outline permission.

The site will be accessed via one point of access off Llancaiach View. It is likely that the approach towards the site off Llancaiach View will become a T- junction with the priority for traffic coming out of the site or for traffic travelling along Tawelfan wanting to turn south down Llancaiach View.

The internal access road has been designed with a dog leg to avoid a straight road through the development site. The road is at least 5.5m wide with a 1.8m pavement on either side.

The majority of the 2-bedroom dwellings have two car parking spaces, 1-bedroom have 1 car parking space. A reduction in car parking based on the sustainability credentials of the site has been used to reduce the number of car parking spaces of the 3 bedroom units to 2 spaces. Dedicated car parking for visitors has not been provided as it can be adequately accommodated on-street.

The majority of the dwellings are orientated so that they front onto the main access road to create an active streetscene with natural surveillance. Car parking has wherever possible been located to the side of the properties to reduce the dominance of the car on the streetscene. There are 3 private drives within the development which serve up to 3 dwellings.

The layout has been designed so that dwellings face key vistas, such as the entrance point into the site and in the centre of the site.

The layout has been designed to respect the privacy of adjacent properties, particularly within Llancaiach Court, with 21m back to back distances being adhered to.

The site is well located in terms of access to public transport.

The application is supported by a Tree Report and Tree Constraints Plan prepared by Jerry Ross Arboricultural Consultancy, a Planning Design and Access statement and a Geotechnical and Geo-Environmental Report prepared by Terra Firma.

### Dimensions:

Type A - 3 bedroom, semi-detached house comprising a living room, kitchen/dining room and shower room on the ground floor, and 3 bedrooms and a bathroom on the first floor.

Type B - 2 bedroom, mid terrace house, comprising a living room, kitchen/dining room and shower room on the ground floor and 2 bedrooms and a bathroom on the first floor.

Type C - 2 bedroom mid terrace and semi-detached unit, comprising a living room, kitchen/dining room and shower room on the ground floor, and 2 bedrooms and a bathroom on the first floor.

Type D - 1 bedroom, (either ground or first floor) with a lounge and dining room, kitchen, bathroom and bedroom.

Type E - 2 bedroom (either ground floor or first floor) with a lounge and dining room, kitchen and bathroom and 2 bedrooms.

Materials: The proposed external materials are to be a combination of render in a pale colour and clay brick in yellow. The difference in materials will be used to break up terraces. Imitation slate (blue/grey colour) will be used for the roof material, window cills will be imitation stone, window heads will have a brick soldier course, gutters and down pipes will be black upvc, fascias will be white upvc, and porches will match the style of the house.

A variety of boundary treatments are proposed. Boundary treatments to the fronts will comprise 900mm high galvanised railings with matching gates; boundary treatments to the side of boundaries in prominent locations such as the approach to the site will be a 1 metre high facing brick wall with brick piers and stone copings. The southern boundary between the site and the adjacent neighbours will be a 2.1m high close board fence, as will the eastern boundary adjacent to Network Rail's land. A 1.22m high close board fence will be used between private gardens of dwellings and a 1.8 metre high close board fence between the blocks of dwellings.

### PLANNING HISTORY

5/5/89/0704 - Change the use for road haulage business - Refused 09.11.89.

5/5/95/0398 - Change the use of land for coal storage and distribution - Refused 09.08.95.

P/98/0298 - Change the use to parking of vehicles and incorporate into existing premises, erect fencing and gates - Refused 19.06.98.

09/0469/OUT - Erect residential development with associated vehicle access, car parking and services, other ancillary uses and activities - Granted 16.11.10.

## POLICY

### LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary, SP7 - Planning Obligations, SP17

#### Policies:

##### Strategic Policies

SP2 - Development Strategy - Development in the Northern Connections Corridor, SP6 - Place Making, SP7 - Planning Obligations, SP15 - Affordable Housing Target, SP21 - Parking Standards.

##### Countywide Policies

CW2 - Amenity, CW3 - Design considerations - Highways, CW5 - Protection of Water Environment, CW6 - Trees, Woodland and Hedgerow Protection, CW10 - Leisure and Open Space provision, CW11 - Affordable Housing Obligation, CW15 - General Locational Constraints, supplementary planning guidance contained in LDP1 - Affordable Housing, LDP5 - Parking Standards, LDP6 - Building Better Places to Live.

### NATIONAL POLICY

Planning Policy Wales, 5th Edition, November 2012, Chapter 4 - Planning for sustainability, paragraph 4.9 states that there is a preference for the re-use of brownfield land as opposed to greenfield sites and at paragraph 4.10.4 "Good design is also inclusive design. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings." Chapter 9 outlines the Welsh Governments objectives for housing, para 9.2.15 encourages the development of affordable housing as it makes an essential contribution to community regeneration and social inclusion.

TAN 12 - Design provides advice on design considerations, TAN 18 - Transport.

### ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes.

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

### CONSULTATION

Principal Valuer - Confirms the amended site plan does not include any Council owned land.

CCBC - Education - No objection.

Head Of Public Protection - No objection.

CCBC Housing Enabling Officer - This scheme is linked to a successful Social Housing Revenue Grant funding bid. The scheme will be delivered as a 100% affordable housing scheme and is fully endorsed by Housing Strategy.

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

Outdoor Leisure Development Officer - Expects the proposed residential development to meet the requirements set out in Policy CW10 of the Authority's LDP. In this respect, the development is expected to incorporate a piece of well designed public open space that is safe and useable all year round. This means it is well drained and has a good aspect and is accessible to all. It is noted that the previous agreement has allowed for £800 per property for the provision of off site sport and leisure facilities. This financial support could allow for the enhancement of the neighbouring playground at Tawel fan and will allow the Council to meet to the Welsh Government play sufficiency requirement.

Head Of Public Services - The Authority does provide kerbside collections for refuse, recycling and green/food waste, with the onus on the developer to provide suitable off road storage near the proposed public highway for one 240L refuse bin, one 240L recycling bin and one food caddy per property. A suitable collection point will need to be provided near the adopted highway for the flats, as Council vehicles will not run over unadopted highways/ private driveways.

Transportation Engineering Manager - No objection subject to conditions.

Wales & West Utilities - Confirms the existence of its apparatus within the vicinity of the site and provides advice to be conveyed to the developer.

Police Architectural Liaison Officer - Has met with the applicant and made several recommendations in order for the site to achieve Secured By Design and reduce opportunities for crime and anti-social behaviour at this site.

Dwr Cymru - Confirms that both foul water and surface water discharges from the site shall not be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved by the Local Planning Authority. Also, land drainage run-off shall not be permitted to discharge either directly or indirectly, into the public sewerage system. It request a condition is attached to any consent requiring comprehensive proposals showing how foul water, surface water and land drainage flows from the site will be dealt with. Advice is also provided to be conveyed to the developer.

Nelson Community Council - Strongly objects to the scheme because of the potential number of additional vehicles that would access and egress the area either via the junction of Llancaich View with Shingrig Road or through Tawelfan and along Station Road, both of which could increase risk to pedestrians and vehicles to an unacceptable level. Also, there would potentially be an excessive loading from the additional properties on the existing sewerage system in the local residential area which has previously suffered issues in respect of its capacity.

## ADVERTISEMENT

Extent of advertisement: The application has been advertised in the press, on site and 23 neighbouring properties have been consulted.

Response: Two letters of objection were received.

### Summary of observations:

1. Ensure the site is protected from commercial development in order to provide a suitable park and ride facility for the potential railway station refurbishment.
2. The development will cause traffic problems in the area.
3. The sewer system in the area is incapable of dealing with flows from the site.

## 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? Apart from normal Secure by Design considerations there would be no adverse impact on crime and disorder.

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

## ANALYSIS

Policies: The most relevant planning history to the determination of this application is the outline permission for 'residential development with the associated vehicle access, car parking and services, other ancillary uses and activities' which was granted on 11th November 2010 subject to 16 conditions.

This establishes the principle of residential development on the site and this application seeks approval of the reserved matters relating to access, siting and appearance. The layout of the scheme is considered to be acceptable and takes account of the comments received from statutory consultees. The proposal would not have a detrimental impact on the amenity of neighbouring dwellings and the dwellings are sited and designed such that noise from the adjacent railway line can be dealt with adequately.

The appearance of the dwellings is also considered to be acceptable and as the scheme will provide 100% affordable housing the proposal complies with Policy CW11 of the Local Development Plan.

A number of objections have been received from local residents and the Community Council which are considered below:-

1. The issue of re-introducing a passenger service onto the adjacent railway line and the provision of a park and ride facility at this location is one that was considered at the outline stage where it was determined that it would not be possible to defer the approval of that application on the basis of a desire that may not be brought forward. In any event as this is a reserved matters application the use of the land for residential purposes is now established and therefore this application cannot be refused on that basis.
2. The issue of increased traffic as a result of this development was also considered at the outline stage and no objection was raised by the Transportation Engineering Manager. He has also raised no objection to the reserved matters submitted under this application and as such the

proposal is considered to be acceptable from a highway safety perspective.

3. Again this matter was addressed at the outline stage. Dwr Cymru/Welsh Water have specifically commented that the drainage of the site can be adequately controlled by the provision of a drainage scheme that can be controlled by planning conditions. Conditions have been attached to the outline planning consent on that basis.

In conclusion it is considered that the details submitted pursuant to the reserved matters are acceptable and therefore the proposal is supported in planning terms subject to the imposition of conditions.

Comments from Consultees: Addressed above.

Comments from public: Addressed above.

Other material considerations: It should be noted that an Agreement under Section 106 of the Town and Country Planning act 1990 has been entered into in relation to off site play provision.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby approved relates to the details received on 8th May 2013 by the Local Planning Authority.  
REASON: For the avoidance of doubt as to the details hereby approved.
- 02) Planning permission shall not extend to the proposed vehicular driveway serving plot 7 for which revised details shall be submitted and agreed with the Local Planning Authority. The revised details shall indicate the proposed driveway at 90 degrees to the highway.  
REASON: In the interests of highway safety.
- 03) 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.
- 04) The dwellings shall not be occupied until visibility splays of 2.4 metres by 2.4 metres have been provided at the junction of the driveways and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The



visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.  
REASON: In the interests of highway safety.

- 05) Unless an endorsed Agreement under Section 38 of the Highways Act 1980 has been completed a detailed programme for the provision of the proposed highways and highway alterations including all stages in the statutory process for approval thereof together with a similarly detailed programme for the construction, completion and future maintenance of the proposed highways shall be submitted to and approved in writing by the Local Planning Authority before any works of construction are commenced on site.

REASON: In the interests of highway safety.

- 06) The gates hereby approved shall not open outwards over the public highway.

REASON: In the interests of highway safety.

- 07) Before any of the development hereby approved is occupied, 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.

#### Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW and CW3.

Please find attached comments received from statutory consultees.

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