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For all enquiries relating to this agenda please contact Rebecca Barrett
(Tel: 01443 864245 Email: barrerm@caerphilly.gov.uk)

Date: 2nd February 2022

Dear Sir/Madam,

A digital meeting of the **Planning Committee** will be held via Microsoft Teams on **Wednesday, 9th February, 2022 at 5.00 pm** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals present and/or speaking at Planning Committee will be publicly available to all via the recording on the Council website at www.caerphilly.gov.uk

Due to restrictions in relation to Covid19, Planning Committee Site Visits have been suspended and this meeting will not be open to the press and general public. However interested parties may make a request to attend remotely and speak in regard to any item on this agenda. To obtain further details on this process please contact the Committee Clerk at barrerm@caerphilly.gov.uk

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

Christina Harrhy
CHIEF EXECUTIVE

AGENDA

1 To receive apologies for absence.

Pages

A greener place Man gwyrddach



2 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

- 3 Planning Committee held on 12th January 2022. 1 - 6

To receive and consider the following report(s): -

- 4 Application No. 21/0922/LA - Ysgol Gymraeg Bro Allta, Stryd Ganolog, Ystrad Mynach, Hengoed, CF82 7XQ. 7 - 24
- 5 Application No. 21/1056/COU - 53 Sir Ivor Road, Pontllanfraith, Blackwood, NP12 2JL. 25 - 34

Circulation:

Councillors M.A. Adams, Mrs E.M. Aldworth (Vice Chair), C. Andrews, J. Bevan, M. Davies, N. Dix, J.E. Fussell, R.W. Gough, L. Harding, A.G. Higgs, A. Hussey, B. Miles, J. Ridgewell, R. Saralis (Chair), J. Simmonds and J. Taylor

And Appropriate Officers

HOW WE WILL USE YOUR INFORMATION

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PLANNING COMMITTEE

MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 12TH JANUARY 2022 AT 5:00 PM

PRESENT:

Councillor R. Saralis – Chair
Councillor E.M. Aldworth – Vice-Chair

Councillors:

M. Adams, C. Andrews, M. Davies, N. Dix, J. Fussell, R.W. Gough, L. Harding, A. Hussey, B. Miles, J. Ridgewell, J. Simmonds, J. Taylor

Cabinet Member: Councillor A. Whitcombe (Sustainability, Planning and Fleet)

Together with:

R. Tranter (Head of Legal Services & Monitoring Officer), R. Kyte (Head of Regeneration and Planning), R. Thomas (Planning Services Manager), C. Powell (Area Principal Planner), E. Rowley (Area Senior Planner), J. Waite (Principal Planner), C. Campbell (Transportation Engineering Manager), A. Vick (Senior Engineer), M. Godfrey (Team Leader - Pollution Control and Emergency Planning & Resilience), J. Harding (Building Consultancy), A. West (21st Century Schools), R. Barrett (Committee Services Officer), M. Harris (Committee Services Support Officer)

RECORDING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being recorded and would be made available following the meeting via the Council's website – [Click Here to View](#) Members were advised that voting on decisions would be taken via Microsoft Forms.

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors J. Bevan and A. Higgs.

2. DECLARATIONS OF INTEREST

Councillor J. Ridgewell confirmed that he would leave the meeting whilst [Agenda Item No. 5 \(21/0974/FULL\)](#) was being considered, in that having previously expressed his opposition to the development in his capacity as the local ward member, he had a closed mind. He left the meeting when the application was discussed and took no part in the debate or decision.

3-4. MINUTES – 3RD NOVEMBER 2021 AND 10TH NOVEMBER 2021

Councillor B. Miles requested a correction to her declaration of interest recorded for the meeting on 3rd November 2021 (Agenda Item No. 3 - 20/0702/FULL) to reflect that a family member owns land which is leased for quarrying (i.e. they are the landlord) and could be perceived as a competitor of the applicant.

Subject to the aforementioned correction, it was moved and seconded that the minutes of the meeting held on the 3rd November 2021 and 10th November 2021 be agreed as a correct record. By way of Microsoft Forms (and in noting there were 10 for, 0 against and 3 abstentions) this was agreed by the majority present.

RESOLVED that subject to a correction to the declaration of interest recorded for Councillor B. Miles at the meeting on 3rd November 2021 (pages 1 and 2), the minutes of the Planning Committee held on 3rd November 2021 (minute nos. 1-4) and 10th November 2021 (minute nos. 1-6) be approved as a correct record.

Councillor R. Gough confirmed that he had abstained from voting on the minutes as he had not been present at either meeting.

5. APPLICATION NO. 210974/FULL - LAND AT GRID REF 319235 191320, NINE MILE POINT INDUSTRIAL ESTATE, CWMFELINFACH

Councillor J. Ridgewell declared an interest in that having previously expressed his opposition to the development in his capacity as the local ward member, he had a closed mind. He left the meeting when the application was discussed and took no part in the debate or decision.

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, together with an amended condition 03 relating to agreement of a soft landscaping scheme prior to the occupation of the development in the interests of visual amenity, the recommendation in the Officer's report be approved. By way of Microsoft Forms (and in noting there were 12 for, 1 against and 0 abstentions) this was agreed by the majority present.

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report and the following amended condition the application be GRANTED;

Amended Condition (03)

Prior to the commencement ~~commencement~~ **occupation** of the development a scheme depicting soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall include details and proposed timing of the soft landscaping together with details of ground preparation and planting plans noting the species, plant sizes and planting densities for all new planting. 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.

- (ii) the applicant be advised that the proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. The applicant's attention is drawn to the Coal Authority Policy in relation to new development and mine entries available on the [Coal Authority Website – new development and mine entries](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. If any coal mining features are unexpectedly 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](#);

- (iii) The applicant be advised that SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT

From 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring that all new developments of more than one house or where the construction areas is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface

water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511
Email: drainage@caerphilly.gov.uk
Website: www.caerphilly.gov.uk/sab

- (iv) The applicant be advised to refer to Public Access to view the comments of Gwent Glamorgan Archaeological Trust, Natural Resources Wales and this Council's Landscape Architect that are brought to the applicant's attention.

6. APPLICATION NO. 21/1025/LA - FORMER CWMCARN HIGH SCHOOL, CHAPEL FARM TERRACE TO CWMCARN SCHOOL, CWMCARN, NEWPORT, NP11 7NG

The Planning Case Officer presented the application, with it confirmed in the accompanying report that the recommendation in respect of the proposal had taken full account of, and was in conformity with, both Future Wales and Planning Policy Wales Edition 11.

Following consideration of the application it was moved and seconded that subject to the conditions contained in the Officer's report, together with an additional condition relating to approval of a scheme for foul drainage prior to the commencement of the development and implementation of the scheme prior to occupation of the building, to ensure that effective foul water drainage facilities are provided for the proposed development, prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents and to ensure no detriment to the water environment, the recommendation in the Officer's report be approved. By way of Microsoft Forms (and in noting there were 14 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that:-

- (i) subject to the conditions contained in the Officer's report and the following additional condition the application be GRANTED;

Additional Condition (26)

No development shall commence on site until details of a scheme for foul drainage have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the approved details prior to the building hereby approved being occupied.

Reason

To ensure that effective foul water drainage facilities are provided for the proposed development, prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents and to ensure no detriment to the water environment in accordance with Policy CW5 of the Caerphilly County Borough Local Development Plan up to 2021 – Adopted November 2010.

- (ii) The applicant be advised of the need to comply with their 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;
- (iii) The applicant be advised that SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT

From 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring that all new developments of more than one house or where the construction areas is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511
Email: drainage@caerphilly.gov.uk
Website: www.caerphilly.gov.uk/sab

- (iv) The applicant be advised that 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](#);

- (v) The applicant/developer be advised that the biodiversity enhancement strategy to be submitted in accordance with condition 10 should include, but not be exclusively limited to, the following:
Clearance methodologies for vegetation, including timing/phasing for birds and hedgehogs;
Details of buffers to water courses/water bodies;
Details of proposed bird/bat boxes; and
Details of dark corridors to be retained around the periphery of the site.
- (vi) The applicant/developer be advised that any lighting scheme submitted in accordance with condition 11 should include the following:
Details of the siting and type of external lighting to be used;
Drawings setting out light spillage in key sensitive areas;
Details of lighting to be used during construction and/or operation of the building; and
Measures to monitor light spillage once development is operational.
- (vii) The applicant be advised of the need to ensure that the future management/employees of the school are made fully aware of the flood management measures set out in Sections 5.2 and 5.3 of the submitted Flood Consequences Assessment.
- (viii) The applicant/developer be advised that further soil sampling and ground gas monitoring will be required as part of the ground investigation/remediation scheme required by condition 14. Further details of the consultation responses received by Natural Resources Wales and the Council's Environmental Health Officer can viewed on the Council's website via Public Access.

The meeting closed at 6.06 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 9th February 2022.

CHAIR

Application Number: 21/0922/LA

Date Received: 10.09.2021

Applicant: CCBC

Description and Location of Development: Demolish existing demountable classrooms and external stores, and erect a two storey extension with single storey entrance link to create 4 classrooms with ancillary accommodation, together with single storey toilet block extension to rear of existing building, re-modelling on site car parking and playgrounds, and associated landscaping - Ysgol Gymraeg Bro Allta Stryd Ganolog Ystrad Mynach Hengoed CF82 7XQ

APPLICATION TYPE: Local Authority Application

SITE AND DEVELOPMENT

Location: Ysgol Gymraeg Bro Allta, Stryd Ganolog, Ystrad Mynach, Hengoed, CF82 7XQ.

Site description: The application site forms part of the Ysgol Gymraeg Bro Allta School site within Ystrad Mynach. It is a Welsh medium Primary School and is located to the south of Ystrad Mynach Primary School. To the West is the A472 main road and to the East is a small lane with residential properties beyond (Central Street) and to the south by both residential properties and community buildings.

Development: Demolish existing demountable classrooms and external stores, and erect a two storey extension with single storey entrance link to create 4 classrooms with ancillary accommodation, together with single storey toilet block extension to rear of existing building, re-modelling on site car parking and playgrounds, and associated landscaping.

The main development comprises a new two storey classroom block. The new block will accommodate four classrooms, toilets, cloakrooms and service provision. A new single storey entrance area will be constructed and the existing main entrance re-modelled to link the new classrooms to the existing main block of the school. In addition to this, once the new extension is complete the existing demountable blocks 154 and 155 (existing Nursery) will be demolished. The site of the demolished demountable buildings will be redeveloped into a new school garden space and hard surface play areas.

Dimensions: The two storey building measures approximately 8.4m wide by 24.8m long with a height (at lowest ground level) of 9m to ridge with eaves height of 7.3m.

The single storey link element has an irregular footprint but measures approximately 5.5m by 5m (max extent) with a height of 3.6m.

The toilet block extension measures approximately 4m by 4m with an overall height of 3.1m.

Materials: The two-storey extension would be finished with brickwork to lower parts of the side and rear elevations and timber effect boarding to the front elevation with the upper parts of the side and rear walls and roof in a dark grey metal Veio cladding system.

Ancillary development, e.g. parking: Amended parking area increasing the existing 14 spaces to 17 spaces. Works to create playground area and associated facilities.

PLANNING HISTORY 2010 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 and it is partially within Flood Zone C2.

Policies: CW2 (Amenity), CW3 (Highways), Policy CW6 (Trees, Woodland and Hedgerow Protection), CW15 (General Locational Constraints), SP5 (Settlement Boundaries), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Future Wales: the National Plan 2040, Planning Policy Wales (Edition 11), Technical Advice Note 12: Design, Technical Advice Note 15 - Development and Flooding.

SUPPLEMENTARY PLANNING GUIDANCE Supplementary Planning Guidance note LDP 4 (Trees and Development).

Supplementary Planning Guidance note LDP 5 (Car Parking Standards).

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.

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

Transportation Engineering Manager - CCBC - No objections, recommend planning condition to require additional parking is provided prior to occupation.

Senior Engineer (Land Drainage) - Confirm that SAB approval is required for the development and that the applicant has been in dialogue in respect of SAB. Provides advice on drainage and related matters.

Dwr Cymru - Public Sewer Crosses site.

Landscape Architect - CCBC - Raises no objection subject to Landscaping being agreed through a planning condition to ensure suitable landscaping and replacement planting is agreed.

Principal Valuer - No Comments.

Ecologist - The report confirms the use of the main building by a single Pipistrelle bat, however as the roost will not be impacted by the works, this can be discounted. We note that the presence of breeding birds and hedgehog was confirmed on site. Recommends a planning condition to secure biodiversity conservation and enhancement on site.

Head Of Public Protection - CCBC - No objections, recommends planning conditions to address construction impacts.

Senior Arboricultural Officer (Trees) - I can confirm that the proposals relating to trees on this site are now clear and acceptable. Recommends planning conditions related to tree protection.

Natural Resources Wales - NRW confirms that European Protected Species licence is unlikely to be required. In terms of flood risk confirm site is partially within Zone C2 of the Development Advice Map (DAM) and provide advice on Policy position in terms of TAN15 but having reviewed the submitted Flood Consequence Assessment advise they are satisfied that the risks and consequences of flooding are manageable to an acceptable level and offer no objection to the application on flood risk grounds.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent.

Response: There have been 9 objections to the proposed development. In addition, a letter has been received from Hefin David MS in respect of the development. This highlights the concerns raised by a group of his constituents which have been included within the summary of observations below.

Summary of observations:

- Adverse visual impact due to Design of the building including its Industrial appearance and mass, bulk, height and materials. It bears little resemblance to the existing school at odds with the character, pattern of development and cohesion of the site.
- Proximity of building to residents is overbearing with the scale of building (including length and Height) having an adverse impact on the residential amenity of the properties running parallel with the development.
- Loss of light to gardens and rooms.
- Impact on outlook.
- Loss of sunlight.
- Existing issues with trees and overshadowing.
- Loss of privacy in both direct overlooking and perceived overlooking.
- Property Devaluation.
- Existing Traffic and parking issues and likely to increase with additional children.
- Potential for glare.
- Impacts on safety of the lane.
- Poor teaching environment due to lack of natural light.
- The site's position within a Flood Zone (C2) and the proposed use is highly vulnerable development and is incompatible with the declaration by the Council of a Climate Emergency.
- Queries the proposal in relation to requirements of The Well-being of Future Generations (Wales) Act 2015.
- Suggests that additional land should be transferred to Ysgol Bro Allta from Ystrad Mynach Primary School.
- The rushed determination of a planning application prior to the new TAN15 coming into force on the 1st December 2021 and prior to the considerations of the implications of work on the Replacement Local Development Plan in terms of demand for Welsh Medium Education within the catchment of Ysgol Bro Allta.
- Future provision of Welsh medium education places should be considered given the constrained nature of the application site and in the context of the forthcoming Replacement Local Development Plan and possible future housing allocations.
- Building should be relocated elsewhere within 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?

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? An Ecological Impact Assessment was submitted with the application which was informed by dusk emergence bat activity surveying. A single solo pipistrelle was observed emerging from the easternmost southern aspect gable apex ridge of the school during the first such survey indicating use as a day roost. However, no other such activity was recorded. The report noted that the location where the roost was observed will not be adversely impacted by the proposed works. Natural Resources Wales have been consulted and have advised that the proposed development is unlikely to give rise to the need for an EPS licence application but have advised that the Ecological Impact Assessment is included on the approved plans condition. It is considered appropriate to include the report on the plans condition and to provide informative advice to the applicant in respect of bats.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Not Liable.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The principle of development is acceptable relating to extensions to an existing educational use within the defined settlement boundary of Ystrad Mynach according with adopted Local Development Plan Policies CW15 (General Locational Constraints) and SP5 (Settlement Boundaries). The main considerations for the application are the visual appearance of the development on the character of the area, impact on neighbour amenity and flood risk considerations.

Design and Visual impact

The design of the proposed extensions and associated works are considered acceptable. The main two storey extension is contemporary in style with steeply pitched roof and glazed gable ends. It would be finished in a mixture of red facing brick (to match the existing school) on some lower elevations and with a dark grey metal roof/upper wall cladding with standing seam detail. The south facing front elevation would include timber effect cladding boarding's to a recessed gable. The associated single storey link element and toilet block are also appropriate in their form. Whilst the ridge height of the two storey extension would exceed that of the main school building the resultant form and appearance is appropriate for the setting and topography with further built development to the north (Ystrad Primary School and dwellings on and around Lewis Street) already having built form above the Welsh School's ridge height. The proposal would have an acceptable impact on the character of the area according with adopted Local Development Plan Policy SP6 (Placemaking).

Neighbour Amenity

In terms of the impact on neighbour amenity it is noted and acknowledged that the proposed new building would lead to a change in outlook for the nearest residents most notably those properties on Central street (no's 57-67 odds only) whose rear amenity areas are to the east of the intervening lane adjacent to the site and these properties would be in line with the new building's eastern elevation. At present these properties have views towards the school site but existing trees/planting provide the main backdrop. The new building would introduce a significant length of massing along the opposite side of the lane (the building has a side elevation of just less than 25m in length). The main school site, at the point where the building would be located, ranges in height between approximately 1-2m below that of the adjacent lane which is broadly commensurate with the rear amenity areas of properties on Central street. Taking this level difference into account the visible part of the proposed building for these adjacent properties on Central Street would view the side elevation of the new building to a height to the eaves of the building between approximately 5-6m in height. The bottom portion of the building being masked below the lane level. The roof form of the building would then increase in height away from the lane back to the main ridge within the school site.

In determining whether the impact on outlook is acceptable for residents the following factors have been considered. The building would be separated from the rear amenity area of properties on Central Street by approximately 5m at the closest point with the public lane forming an intervening feature between the building and these amenity areas. The rear amenity areas of the terrace properties on this part of Central Street are of a generous size (typically around 10-12m) and there are a mixture of two storey and single storey rear projections on properties in this part of Central street. The new building will be separated from existing rear facing windows in the attached rear projections of houses on Central street by separation distances greater than 15m (at the closest point).

The applicant has submitted cross sections which indicate that the building will meet the 25 degree rule from existing windows in the dwellings within this part of central street indicating that there will be no unacceptable impact on light to these dwellings' habitable rooms from the development.

In terms of overshadowing the building is located broadly to the west of residential properties in an area where there are a number of existing trees on the existing eastern school boundary and also there is the existing school building behind. Whilst the building will represent an increase in massing and height on the boundary which would be present all year round it is not considered that the additional overshadowing resulting from the development will be so persistent to residents to have an unacceptable impact on neighbour amenity.

Following discussions with the applicant the scheme has been revised to include windows to the east facing side elevation. These windows will be obscure glazed and have opening restricted to a maximum of 100mm (10cm) to prevent any material overlooking to the rear gardens and fenestration contained within the rear facades of

properties on Central Street. The proposed new windows on the east elevation have variation in their size and vertical/horizontal emphasis and some include adjacent coloured panels. The purpose is to provide interest to the facade and break up the proposed massing of wall cladding, whilst also providing additional light to rooms within the building. The windows on the south facing front elevation and north facing rear elevation are not considered to have any unacceptable impacts in terms of overlooking to residential properties in the area (including flats at Lisburn Court to the south). The development is considered to have an acceptable impact on the existing levels of amenity of all surrounding residential properties according with Policy CW2 (Amenity).

Flood risk

The application site lies partially within designated Flood Zone C2 as is the situation with the existing school buildings. Natural Resources Wales have provided a consultation response which highlights a conflict with Technical Advice Note 15 (Flood Risk and Development) in section 6 which advises that "highly vulnerable development should not be permitted in Zone C2". However Natural Resources Wales have provided further comments that they have reviewed the submitted Flood Consequence Assessment and are satisfied that the risks and consequences of flooding are manageable to an acceptable level. Natural Resources Wales state that they have no objection to the application on flood risk grounds.

In respect of the comments that Highly Vulnerable development should not be permitted within flood zone C2 regard has been had to section 11 of Technical Advice Note 15 (TAN15). This advises that "where a site falls partially within zone C it will be a matter for the planning authority to judge whether to apply section 6. The Environment Agency will assist planning authorities in coming to their decision on whether the consequences of flooding are acceptable, in terms of the risks to people and property" (TAN15 section 11).

This application involves the provision of improved accommodation for an existing highly vulnerable development (the school). It will result in the removal of demountable classrooms which are located wholly within the flood zone and the provision of buildings (including a two-storey building) which instead are partially within the flood zone. Natural Resources Wales, who as the successor to the Environment Agency in Wales, are the specialist advisors on flood risk. They have raised no objection to the development. It is therefore considered taking into account the above factors that TAN15 section 6 should not be applied in this instance and that the development is acceptable in flood risk terms.

Access and parking.

The proposal includes works to alter and extend the existing parking arrangements which would increase parking by 3 spaces. The Highway Authority have reviewed the proposal and consider that the parking numbers are acceptable noting the net additional floorspace (61.5sqm) would be limited due to the demolition works also included within

the proposal. The development accords with Policy CW3 (Highway) in having an acceptable impact on the highway network and parking provision for the school.

Comments from Consultees: Addressed in the body of the report.

Comments from public: Adverse visual impact due to Design of the building including its Industrial appearance and mass, bulk, height and materials. It bears little resemblance to the existing school at odds with the character, pattern of development and cohesion of the site.

The design of the building is contemporary in nature not seeking to replicate the form of the adjacent Victorian School but can be "read" as a new addition with architectural styling of its time of design and construction. The building includes elements such as the brickwork to provide some common features with the existing school building. It has a higher ridge height than the existing school however the link element is single storey and the massing of the proposed building is considered acceptable. It will be viewed from the south in conjunction with the rising topography of the area which includes the adjacent primary school which rises above the site. When viewed from the north it will also be mainly seen in context with the higher plateau containing the adjacent Ystrad Primary School buildings. It is considered it will have an acceptable visual appearance and impact on the character of the area according with Policy SP6 (Placemaking).

Proximity of building to residents is overbearing with the scale of building (including length and Height) having an adverse impact on the residential amenity of the properties running parallel with the development.

Loss of light to gardens and rooms.

Impact on outlook.

Loss of sunlight.

The scale of the building has been considered in respect of its relationship and separation from existing residential properties and their amenity areas and is not considered to have an unacceptable impact on neighbour amenity in terms of light, outlook or overshadowing. The application has been amended to include windows to the eastern side elevation each of which will be obscurely glazed and restricted in its opening to maintain privacy to neighbours but will add interest to the appearance of the east facing façade. The proposal is considered to have an acceptable impact on neighbour amenity according with Policy CW2 (Amenity).

Existing issues with trees and overshadowing.

The development will result in the removal of a number of trees (including Ash trees impacted with Ash Die-back disease) with replacement planting to be agreed within a Landscaping scheme. There are several Oak trees retained including one (T8) located

at the northern end of the site which makes a significant contribution to the amenity of the area. Notwithstanding this, it is not the role of the planning system to deal with existing issues such as this in the determination of a planning application.

Loss of privacy in both direct overlooking and perceived overlooking.

The east facing windows do not allow overlooking due to their obscure glazing and the south facing front elevation and north facing rear elevation glazing is sufficiently angled and separated from residential properties to avoid any unacceptable overlooking.

Property Devaluation.

This is not a material planning consideration.

Existing Traffic and parking issues and these are likely to increase with additional children.

The Highway Authority have been consulted and have offered no objection to the development and consider the proposed additional parking to be sufficient for the additional floorspace created by the development.

Potential for glare.

The external finish of materials are required to be submitted for the written approval of the Local Planning Authority allowing for agreement of materials which will not cause undue glare to residents.

Impacts on safety of the lane.

The lane is adjacent to the eastern side of the school site and the school is located at a lower level with existing planting to the boundary. It is not considered that the proposed development will have such substantial impacts on the lane to cause impacts in terms of safety or unacceptable loss of natural surveillance.

Poor teaching environment due to lack of natural light.

The proposed classrooms have windows and considering the positioning of the fire escape and adjacent buildings it is considered that the proposal would result in acceptable teaching and learning environment.

The site's position within a Flood Zone (C2) and the proposed use is highly vulnerable development and is incompatible with the declaration by the Council of a Climate Emergency.

The issue of flood risk has been addressed in the report and the provision of improved facilities within an existing school site with removal of single storey demountable buildings located wholly within the flood zone to be replaced by accommodation including a two storey building which is partially within the flood zone is considered acceptable. The building has also been designed with enhanced thermal insulation to achieve a minimum 10% improvement on the building regulations standards for conservation of fuel and power. It is considered that the proposal is not incompatible with the statement of a climate emergency.

Queries the proposal in relation to requirements of The Well-being of Future Generations (Wales) Act 2015.

The development will enhance facilities in a Welsh Language School and flood risk has been considered and deemed acceptable. It is therefore considered that the proposal accords with the overall thrust of the Well-being of Future Generations (Wales) Act 2015 having significant benefits through the provision of enhanced facilities for education for the local community in particular with children and their educational and social development including Welsh language skills. In terms of the Act's seven well-being goals (A Prosperous Wales, A Resilient Wales, A Healthier Wales, A More Equal Wales, A Wales of Cohesive Communities, A Wales of Vibrant Culture and Thriving Welsh Language and A Globally Responsible Wales) as the development will assist with the ability of the school to educate children it is considered that it will meet all of the seven well-being goals in various ways. These include through the school's contribution to a number of National well-being indicators such as: Healthy Lifestyle (children) [indicator 05], Young children developing the right skills [06], People Speaking Welsh every day [36], People able to speak Welsh [37] and Participation in sporting activities [38]. It is considered that the sustainable development principle within the act is also met by the development and this will seek to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Suggests that additional land should be transferred to Ysgol Bro Allta from Ystrad Mynach Primary School.

This would be a separate matter for the educational department to consider and is not considered relevant to the determination of the development proposed.

The rushed determination of a planning application prior to the new TAN15 coming into force on the 1st December 2021 and prior to the considerations of the implications of work on the Replacement Local Development Plan in terms of demand for Welsh Medium Education within the catchment of Ysgol Bro Allta.

Future provision of Welsh medium education places should be considered given the constrained nature of the application site and in the context of the forthcoming Replacement Local Development Plan and possible future housing allocations.

The implementation of a new version of Technical Advice Note 15 has been suspended by Welsh Government until 1st June 2023 who have written to all Local Planning Authorities in Wales and advised that the existing TAN15 and the Development Advice Map will continue in the meantime as the framework for assessing flood risk. The adopted Caerphilly County Borough Local Development Plan up to 2021 is the extant development plan for considering planning applications against and the Replacement Development Plan cannot be given significant weight at this stage. It is noted that the Delivery Agreement with Welsh Government indicates that the replacement plan will not be subject to Statutory Deposit plan consultation until February-March 2023 with an indicative independent examination identified as possibly occurring in March-October 2024. The future provision for Welsh Medium education within Ystrad Mynach and the wider County Borough is a matter for the Education department to plan for and the current application has to be considered on its planning merits. In that regard it would not be reasonable to delay the determination of this application until such time as a replacement local plan comes into force.

Building should be relocated elsewhere within the site.

The Local Planning Authority has considered the siting and design of the building and considers it to be acceptable.

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.

The proposed development is acceptable in principle and the design and form of the building and associated works will have an appropriate impact on the character of the area and will not have an unacceptable impact on neighbour amenity or highway safety. It is recommended for approval accordingly.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
Site Location Plan, drawing reference P01;
Proposed Site Plan, drawing reference P04 revision A;
Proposed Floor Plan, drawing reference P05 revision A;
Proposed Elevations Plan, drawing reference P06 revision B;
Proposed Building Sections Plan, drawing reference P07 revision A;
Demolition Plan, drawing reference P08 revision A;
Ecological Impact Assessment by Wildwood Ecology, reference WWE20163 ECIA REV B FINAL, dated 7 September 2021.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the commencement of work on site, a method statement setting out the manner in which the existing building is going to be demolished shall be submitted to and agreed in writing with the Local Planning Authority. The demolition shall thereafter be carried out in accordance with the agreed statement unless it is varied with the written agreement of the Local Planning Authority.
REASON: To ensure that the demolition is carried out in an appropriate manner in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
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.
- 05) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.

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.

- 06) 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.
- 07) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WPGA 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: In the interests of public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 08) 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.
- 09) 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.
- 10) An external or integrated bird box shall be built into the new build at the gable apex or at the eaves on the north or west elevations. The box shall be retained in situ for a minimum of five years.

REASON: To provide nesting 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 (2016) and Tan 5 Nature Conservation and Planning (2009).

- 11) The development shall be carried out in accordance with the submitted Treecare Consulting report titled "BS5837 Tree Information Ysgol Gwmraeg Bro Allta" dated 10.2021 and related information which shall include (inter alia):
Tree protection to the specification provided on page 9 of the survey by Treecare Consulting - BS5837 Tree Information Ysgol Gymraeg Bro Allta, including the signage.
The location of the tree protection fencing will be in accordance with the Tree Retention/Removal with Tree Protection, Drawing P11 Dated 22/10/21.
An Arboricultural Consultant will be present, with a watching brief, for any and all clearance/construction work adjacent to T8 Oak, to the north east of the site.
An Arboricultural Consultant will be present, with a watching brief, for works to clear existing and install proposed hard surfacing within the root protection area of T10 Oak, to the southern boundary.
No services, underground or overhead, are to be installed within or over any of the root protection areas highlighted on these drawings. Where there may be conflicts within the drawings, the tree protection will take precedence, unless first agreed with the Council's Tree Officer.
REASON: In the interests of the visual amenity of the area in accordance with policies CW2, CW6 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 12) 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.
- 13) The development shall not be brought into beneficial use 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.

Advisory Note(s)

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

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

WARNING: SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511
Email: drainage@caerphilly.gov.uk
website: www.caerphilly.gov.uk/sab

1. WARNING - SEPARATE APPROVAL UNDER THE LAND DRAINAGE ACT (1991)/AERPHILLY COUNTY BOROUGH COUNCIL LAND DRAINAGE BYELAWS (2018) REQUIRED: Please note that Caerphilly County Borough Council operate Land Drainage Byelaws and that works on a near a watercourse may require Ordinary Watercourse Consent (OWC). The erection or construction of any Building or Structure within the Byelaws distance is only permitted following written consent from the Lead Local Flood Authority. Planning Permission granted here does not remove the requirement for approval from the Lead Local Flood Authority to be obtained.

You are advised to contact the Lead Local Flood Authority. Their contact details are provided below:

Phone: 01443 866511
Email: drainage@caerphilly.gov.uk
Website: <https://www.caerphilly.gov.uk/Services/Roadsand-pavements/Flood-riskmanagement/Consent-to-work-on-an-ordinarywatercourse>

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all

works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Please find attached the comments of Natural Resources Wales, Senior Engineer (Land Drainage) that are brought to the applicant's attention.



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Application Number: 21/1056/COU

Date Received: 15.10.2021

Applicant: D2 Propco Ltd

Description and Location of Development: Change the use of residential dwelling to a C4 HMO - 53 Sir Ivor Road Pontllanfraith Blackwood NP12 2JL

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: Number 53 is located towards the southern end of Sir Ivor Road, close to where it merges with, and becomes Newport Road.

Site description: Two storey terraced property with stone frontage with painted brick quoins and headers. Rear elevation has a rendered finish with a single storey rear extension, all with concrete tile roof covering. Property is set back from the back edge of the pavement and is at a slightly higher level than Sir Ivor Road. The front boundary comprises a dwarf stone wall with low metal railings above, this encloses a small front garden/yard containing steps leading up to the front door. There is a yard area to the rear of the property outside the back door, beyond which the land rises in a westerly direction up to a rear service lane that bounds the site, the rear curtilage contains a hardstanding with direct access onto the rear lane, to the other side of that lane are existing residential properties.

Development: Full planning permission is sought to change the use of the premises from that of a single dwelling (C3) to a House in Multiple Occupation (C4).

Dimensions: The footprint of the building remains unchanged.

Materials: No external alterations to the fabric of the building are proposed.

Ancillary development, e.g. parking: Three parking spaces are indicated within rear curtilage.

PLANNING HISTORY 2010 TO PRESENT

None.

POLICY

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

Site Allocation: Within settlement limits.

Policies: SP2: (Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW15 (General Locational Constraints together with advice contained within Supplementary Planning Guidance LDP 5: Car Parking Standards).

NATIONAL POLICY Future Wales - The National Plan 2040, Planning Policy Wales 11th Edition (February 2021); Welsh Government Houses in Multiple Occupation: Practice Guidance (March, 2017).

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not applicable due to the nature of the application.

CONSULTATION

Transportation Engineering Manager - CCBC - No objection subject to conditions requiring completion of indicated parking area prior to occupation. Materials to be used in its construction to be agreed and rainwater runoff not to discharge into highway surface water drainage system.

Head Of Public Protection - CCBC - No objection raised, recommends that the applicant have due consideration to comments provided by Private Housing Department relating to matters controlled under the Housing Act 2004.

ADVERTISEMENT

Extent of advertisement: Two immediately neighbouring properties were notified of the application by letter and a site notice was displayed outside the premises.

Response: Fourteen responses have been received objecting to the proposal.

Summary of observations: The comments received can be summarised as follows:-

- 1 Unable to contact the applicant/landlord via details provided therefore lack of transparency.
2. Additional vehicles belonging to potential tenants will exacerbate existing parking problems currently experienced by residents of the street.

3. Concerns as to the character of potential occupants and issues over the vetting of potential tenants.
4. Effect that the proposal will have on the value of other residential properties in the area.
5. The size of the accommodation that will be offered is insufficient to meet needs of four individual adults.
6. Adequacy of existing toilet, bathroom and kitchen facilities to meet the individual needs of the occupants.
7. Approval of the application would have an adverse impact upon the wellbeing of the current residents of the street due to the potential increase in the level of anti-social behaviour adding to that currently experienced which has been caused by residents of other similar properties that exist in the street and immediately adjacent to it.

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?

There are no specific crime and disorder implications material to the determination of this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The proposed development only affects the interior of the building. Therefore, the proposal is not liable for CIL.

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 in the determination of this application is the compatibility of the proposed use within a residential area, the visual appearance of the development on the character of the area, the impact on neighbour amenity and highway safety implications.

The proposal comprises the change of use of 53, Sir Ivor Road, Pontllanfraith from use as a single dwelling (C3) to a House in Multiple Occupation (C4). The application site is within the defined settlement boundary and the proposal is acceptable in principle conforming with the requirements of Policies CW15 (General Locational Constraints) and SP5 (Settlement Boundaries).

In respect of housing delivery, the national planning guidance document Planning Policy Wales (PPW) acknowledges that there must be "sufficient sites suitable for the full

range of housing types to address the identified needs of communities" (paragraph 4.2.11). Caerphilly County Borough currently has a severe shortage of this type of property and heavily relies on bed and breakfast accommodation to meet the shortfall. It is therefore considered that the proposal will assist with the provision of emergency accommodation and contribute to meeting the needs of the community in line with Planning Policy Wales.

The Welsh Government published a practice guidance note on Housing in Multiple Occupation in March 2017 which advised that "HMOs provide a source of accommodation for certain groups, including students temporarily resident in a locality and individuals and/or small households unable to afford self-contained accommodation. Concerns can arise with the management of HMOs because of the transient nature of many tenancies, with many residents on low incomes and/or from vulnerable groups, the intensive use of shared facilities and lack of interaction between residents who may be complete strangers to each other. Consequently, HMO use of a house will generally be more intensive than single household use. This may have an impact not just on the residents in an HMO but on the wider neighbourhood and the likelihood of this increases where there are high concentrations of such properties." (Paragraph 1.3 WG HMO practice guidance note).

The application property is a terraced two storey dwelling within an established residential area of Pontllanfraith. The property currently has three bedrooms at first floor level with a hallway, living room, dining room, kitchen and bathroom on the ground floor. The application seeks full planning permission for the change of use of the property to a HMO with four bedrooms. The ground floor layout will be altered; it is proposed that a new wall will be erected between the living room and dining room to create a new bedroom at the front of the property. The existing wall between the kitchen and dining room is shown as being removed to create a reconfigured living room and kitchen with a separate doorway from the internal hallway. The bathroom is to remain as it is and three bedrooms are to remain at first floor level. There will be no external alterations to the fabric of property.

On that basis the proposed change of use would reconfigure the internal layout and increase the capacity of the building to a total of 4 bedrooms. It is not considered that the addition of this one bedroom would lead to a significant increase in activities at the property over and above that which could occur with the lawful use of the building. Furthermore, members are advised that planning consent is not required for internal alterations that result in the re-configuration of the existing accommodation and it is conceivable that 4 adults, living as a single household, could live in the property at present without the need for planning consent. This proposal would not materially change this.

Policy CW2 of the Local Development Plan sets out criteria relating to amenity and states that development proposals must ensure that there is no unacceptable impact on the amenity of adjacent properties or land. In that respect no external alterations to the

building are proposed, as such it is not considered that the development would give rise to any adverse visual impacts to the character and appearance of the surrounding area.

In terms of its impact on neighbouring amenity, given that no external alterations to the building are proposed it is not considered that the development would give rise to any loss of privacy or overbearing impacts.

With regard to the above concerns contained in the Welsh Government practice guidance it should be noted that it is stated that these issues can arise when there are concentrations of HMO's in a particular area. The research document suggested that 10% is a general 'tipping point' beyond which the evidence indicates that a concentration of HMOs can begin to have an adverse impact on the character and balance of a community. This tipping point is described as a threshold beyond which a community can 'tip' from a balanced position in terms of demographic norms and impacts, towards a demographic that is noticeably more mixed in terms of shared and family households. In this instance it should be noted that there is one licensable HMO in the Pontllanfraith area and in the region of 200 unlicensed HMO's in the Caerphilly County Borough and that these are spread throughout the area. In that context, the Local Planning Authority is not in a position to argue that there is a high concentration of Houses of Multiple Occupation in the immediate vicinity of the application site or within Caerphilly County Borough as a whole. Taking into consideration the cumulative impacts of such HMOs within the Caerphilly County Borough and their dispersed placement, it is not considered that the proposed change of use in itself would significantly change the immediate character of Pontllanfraith or detrimentally impact the current levels of amenity received by the neighbouring occupiers. Therefore, the proposal complies with Policy CW2 in that it would not have an unacceptable impact upon the immediate character and amenity of the local area of Pontllanfraith.

Policy CW3 states that development proposals should have regard for the safe, effective and efficient use of the transportation network, and parking space should be provided in accordance with the CSS Wales Parking Standards 2008. Three off-street car parking spaces are proposed within the rear curtilage and therefore the Transportation and Engineering Manager is satisfied in highway safety term subject to imposing conditions to any consent relating to parking and surfacing provision and rain-water run-off.

In conclusion the proposal complies with Policy CW2 and Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2010, as such it is considered to be acceptable in planning terms and it is recommended that planning permission is granted subject to conditions.

Comments from Consultees: Transportation Engineering Manager - No objection subject to conditions requiring completion of indicated parking area prior to occupation. Materials to be used in its construction to be agreed and rainwater runoff not to discharge into highway surface water drainage system.

Head of Public Protection - No objection raised, recommends that the applicant has due consideration to comments provided by Private Housing Department relating to matters controlled under the Housing Act 2004.

Comments from public: The following comments were received:-

1. Unable to contact the applicant/landlord via details provided therefore lack of transparency - Having the option to contact the applicant is not a material planning consideration however there is enough information provided for the Local Planning Authority to make an informed decision to members regarding the acceptability of the proposed use.
2. Additional vehicles belonging to potential tenants will exacerbate existing parking problems currently experienced by residents of the street - The level of off-street car parking provision to be provided meets the requirements for the property, any existing parking pressures cannot be taken into consideration in the determination of this application.
3. Concerns as to the character of potential occupants and issues over the vetting of potential tenants - This is an application for the change of use of a dwelling to a dwelling for use by persons not living as a single household and as stated above it is not considered that the proposal would materially affect the character of the area. This is not an application for a medium or high secure facility where residents are not considered suitable to live within the community and the application should be considered on that basis. As such it is not for the Local Planning Authority to consider whether any potential tenants of the property are suitable in that regard.
4. Effect that the proposal will have on the value of other residential properties in the area - The impact upon property values in the area is not a material planning consideration.
5. The size of the accommodation that will be offered is insufficient to meet needs of four individual adults.
6. Adequacy of existing toilet, bathroom and kitchen facilities to meet the individual needs of the occupants.

In respect of points 5 and 6 the report above addresses the sites suitability for residential purposes. It should also be noted that the use of the building would still remain as a dwelling, albeit in a different use class (C4). In terms of the size of the property, the submitted details demonstrate that a fourth bedroom can be accommodated within the property. The internal arrangements of the property would be covered by separate legislation.

7. Approval of the application would have an adverse impact upon the wellbeing of the current residents of the street due to the potential increase in the level of anti-social

behaviour adding to that currently experienced which has been caused by residents of other similar properties that exist in the street and immediately adjacent to it - The impact upon neighbouring properties has been discussed in the above report however there is no evidence to suggest that the proposed use will equate to increased anti-social behaviour. If such issues occur then it is for the Police to deal with such matters.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

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 Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Dwg No. 2833 C Site Location Plan, Block Plan and Existing and Proposed Floor Plans received on 15.10.2021.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 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 in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 04) Prior to the occupation of the development hereby approved all hard surfacing within the curtilage shall have been:
- 1) constructed in porous or permeable materials, or
 - 2) provided with drainage to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse, and
 - 3) where a surface is to be used as a parking area or drive it shall not be constructed in loose materials,
- and thereafter those areas shall be permanently maintained so as to comply with requirements 1), 2) and 3) of this condition.
- REASON: To provide a sustainable drainage system and avoid loose materials being taken out onto the highway in accordance with policies CW3 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Rainwater run-off shall not discharge into the highway surface-water drainage system.
- REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached the comments of Head of Public Protection that are brought to the applicant's attention.

21/1056/COU



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