

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0463/OUT 22.07.2015	Llanover Estates Mr M Lennon 23A Gold Tops Newport NP20 4UL	Erect a pair of semi-detached 3 bedroom dwellings with associated off-street parking Land Adjacent To Victoria House Ashfield Road Newbridge Newport NP11 4RA

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: Land adjacent to Victoria House, Ashfield Road, Newbridge.

Site description: The site is located within a predominantly residential area within the settlement boundary. It comprises an infill plot on the northern side of Ashfield Road, situated between a vacant Royal Mail sorting Office located to the eastern boundary and a doctor's surgery to the western boundary. Allotment gardens are located to the rear (north of the site) and terraced residential dwellings are located opposite the site.

The site is roughly triangular in shape with its widest part fronting the highway in an easterly direction. It is relatively level toward the front however it rises quite steeply toward the rear of the site. The topography of the site is such that the indicative site layout submitted with the application indicates ground levels rise from south to northwest with a difference in levels of some 3 metres.

The site is currently overgrown with developing scrub woodland including several large trees, which are not covered by any Tree Preservation Order or land use designation.

Development: Outline planning consent is sought in respect of the construction of a pair of 3 bedroom, semi-detached dwellings with associated off-street parking provision. It is only access to be considered at this outline stage with matters of appearance, landscaping, layout and scale reserved for subsequent approval.

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Use: Residential:

The amount of development proposed for each use: Two x 3 bedroom, three-storey, dwelling units.

Indicative layout: Yes in respect of a pair of semi-detached dwellings.

Indicative access points: Yes off Ashfield Road.

Dimensions:

Dimensions (upper and lower limits for height, width and length of each building):
Maximum and minimum scale parameters of 10.7m high x 6m in width x 11.6m in depth.

Materials: Notwithstanding the appearance of the dwellings is reserved for subsequent approval, the applicant has indicated external finishes to comprise a painted render and face brick in the walls, cement fibre slate roof, white upvc windows and doors, with face brick boundary walls to match the dwellings together with brown timber fencing and concrete or grasscrete vehicle hard standing.

Ancillary development, e.g. parking: Indicative plan showing six off-street parking spaces with two cycle spaces.

PLANNING HISTORY 2005 TO PRESENT

No previous planning history.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation:

Policy SP5 - within the settlement boundary.

Policies:

Strategic Policies

SP2 (Development Strategy in the Northern connections corridor), SP6 (Place making), SP10 - Conservation and Natural Heritage, SP21 (Parking Standards).

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Countywide Policies

CW2 (Amenity), CW3 (Design considerations:Highways), CW6 - Trees, Woodland and Hedgerow Protection, CW15 (General locational constraints) supplementary planning guidance contained in LDP5 - Parking Standards, LDP6 - building Better Places to Live, LDP7 - Householder Developments.

NATIONAL POLICY

Planning Policy Wales, 7th Edition, July 2014, TAN 12 (Design), Manual for Streets.

ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not an issue in respect of this application.

CONSULTATION

Transportation Engineering Manager - Has no objection to the development subject to conditions being attached to any consent in respect of the provision of an access, pedestrian footpath along the site frontage, parking, and drainage. He provides advice to be conveyed to the developer in respect of the provision of a vehicular crossover.

Head Of Public Protection - No objection.

Senior Engineer (Land Drainage) - Requires a condition is attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with. He provides advice to be conveyed to the developer in respect of drainage matters.

Dwr Cymru - Provides advice to be conveyed to the developer.

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

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Senior Arboricultural Officer (Trees) - Requires an Arboricultural Impact Assessment and deriving from the outcome of the survey and assessment, there will need to be a Tree Protection Plan (TPP) submitted, that will account for and graphically represent any necessary protection measures for trees to be retained on site, as well as trees off-site. The TPP would illustrate retained trees, root protection areas as well as the specification and location of any other necessary protection measures (i.e. tree protection barrier) necessary. The AIA and TPP should be prepared by a suitably qualified arborist in accordance with BS5837:2012.

Countryside And Landscape Services - Has no objection to the principle of the development but would like consideration be given to different house designs and the possibility of retaining the existing vegetation screen on the boundary between the site and existing properties.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and neighbouring properties have been consulted.

Response: None.

Summary of observations: Not applicable.

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 planning application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

The site where the proposed developments are to be located contains trees, hedgerow and shrubbery which have the potential to support breeding birds. Therefore, it is considered appropriate to attach conditions to any consent to prevent the clearance of the site during the bird breeding season and biodiversity enhancements in the form of bat roost and bird breeding provision within the development.

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The proposed application site lies immediately adjacent to an allotment site and a nearby churchyard which make excellent bat and bird foraging habitat. The SEWBRc search indicates that there are bats and birds within close proximity to the development site. Consequently, it is considered appropriate to attach conditions to any consent requiring bat roost and breeding bird provision within the new development as biodiversity enhancements.

COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? The site would fall within the mid-range CIL liability charging zone, which is set at £25 per square metre. However, this is an outline application and as such CIL is not applicable.

ANALYSIS

Policies: The main issues in respect of the residential development of this site are considered to be the compatibility of the use with surrounding land uses, the effect of the development upon the character of the surrounding area and upon the amenity of occupiers of neighbouring properties and also in terms of highway safety.

Given that the site subject of this application is included within the settlement boundary for Newbridge as identified in the LDP, it is considered that in policy terms the development of the site would be consistent with Policy SP5 of the LDP i.e. it promotes the full and effective use of urban land and serves to concentrate development within the existing settlement.

General development control considerations are set out in policies SP6 (Place making), CW2 (Amenity) and CW3 (Design consideration: Highways) of the LDP.

Strategic Policy SP6 sets out criteria relating to place making, notably that development should seek an appropriate mix in respect of the role and function of its settlement, seek a high standard of design, seek locations that make the most of sustainable transport and accessibility principles and realises the efficient use of land. The proposed development site lies to the west of the A467 to the north of the A472, within the settlement area of Newbridge and offers the opportunity to provide housing, which will be close to residential areas and local facilities in both Newbridge and Blackwood. This is an outline application with all matters reserved for subsequent consideration except for access. As with any outline planning application for development there is a requirement to provide an increased level of detail to be submitted.

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In this respect an indicative site layout has been proposed, which identifies a pair of semi-detached, dwellings to be constructed, with vehicular access obtained off Ashfield Road. Off-street parking provision in respect of each dwelling is proposed. The proposal is considered to be acceptable in terms of scale, use, density, and layout and adequate off-street parking and amenity is provided in respect of each dwelling. In consideration of policy SP6 the outline proposal satisfies two of the four relevant factors, a sustainable location and efficient use of land.

Policy CW2 of the LDP sets out criteria relating to amenity. Notwithstanding the steeply sloping surrounds there would appear to be enough flat land within the application site to accommodate two dwellings with parking and turning facilities, and an access from Ashfield Road is achievable within the defined application site. In this respect it is considered that the proposed development is compatible with the surrounding residential land uses and does not result in the over-development of the site. In terms of the impact of the development upon the amenity of adjacent properties or land it is noted that this is an outline application with the detail and appearance of the proposed dwellings reserved for subsequent approval.

Policy CW3 of the LDP sets out criteria in terms of highway design considerations. This Council's Transportation Engineering Manager has raised no objection to the development subject to conditions being attached to any consent as referred to above.

Policy CW6 of the LDP aims to protect trees, woodlands and hedgerows. While the DAS acknowledges that the on-site vegetation is generally scrubby in nature and not particularly valuable in terms of amenity, there are some larger (off-site) trees higher up the slope to the rear (west) of the plot. There are also some medium-sized trees on site near the boundaries that offer some level of visual amenity and should also be taken into account. Consequently, it is considered appropriate to attach conditions to any consent requiring an Arboricultural Impact Assessment together with a Tree Protection Plan.

Comments from Consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Comments from public: None.

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Other material considerations: None.

In conclusion, it is considered that the proposed outline development does not conflict with local plan policies or national planning guidance and subject to the imposition of appropriate conditions is acceptable in planning terms.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the appearance, landscaping, layout and scale, of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

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- 05) No development shall commence until details of a scheme for the disposal of surface water and land drainage flows from the site has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.
REASON: To ensure the development is served by an appropriate means of drainage.
- 06) No development shall commence, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding;
 - v) measures to control the emission of dust and dirt during construction;
- REASON: In the interests of residential amenity and highway safety.
- 07) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4m metres x 23m metres. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety.
- 08) The site boundary fronting Ashfield Road shall be set back and a 2.0m wide footway provided along the frontage which shall be constructed in permanent materials to be agreed in writing with the Local Planning Authority and completed prior to the first occupation of the development hereby approved.
REASON: In the interests of highway safety.
- 09) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.
REASON: In the interests of highway safety.

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- 10) The proposed parking areas shall be completed in materials, details of which shall be submitted for consideration and approval in writing with the Local Planning Authority, to ensure loose stones or mud etc is not carried on to the public highway.
REASON: In the interests of highway safety.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order, with or without modification), the garages hereby approved shall not be physically altered or converted to any other domestic purpose without the prior approval of the Local Planning Authority. The garages shall be made available at all times for the parking of motor vehicles associated with the residential use of the dwellings hereby approved.
REASON: In the interests of highway safety.
- 12) Rainwater run-off shall not discharge into the highway surface-water drainage system.
REASON: In the interests of highway safety.
- 13) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 14) The development hereby approved relates to the details received on 9.7.15 by the Local Planning Authority.
REASON: For the avoidance of doubt as to the details hereby approved.
- 15) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats within the proposed houses shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.

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- 16) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, Swallow and Swift) in the new dwellings hereby approved shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.

REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales (2012) and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning (2009).

- 17) No vegetation clearance, works or development shall take place until an Arboricultural Impact Assessment (AIA) in accordance with BS5837:2012 is carried out in respect of on-site trees and those off-site trees closer to site boundaries. Deriving from the outcome of the survey and assessment, a detailed scheme for the protection of any retained trees (section 7, BS59837, the Tree Protection Plan) shall be submitted and agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:

a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,

b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,

c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,

d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,

e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),

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- f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
- g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
- h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
- i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
- j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,
- l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
- q) the timing of the various phases of the works or development in the context of the tree protection measures.

REASON: In the interests of visual amenity.

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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: CW2 and CW3.

The applicant is advised of the comments of Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water, Wales and West Utilities and Transportation Engineering Manager.

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.

Mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).
