

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
15/0669/FULL 20.08.2015	Mr J Pannu C/o C2J Architects & Town Planners Mrs A Dallimore Unit 1A Compass Business Park Pacific Road Ocean Park Cardiff CF24 5HL	Erect a mixed use two-storey development of three apartments and four commercial units with on site car parking, refuse and cycle storage facilities Fwrrwm Ishta House 68 Commercial Road Machen Caerphilly CF83 8PG

**APPLICATION TYPE:** Full Application

#### SITE AND DEVELOPMENT

Location: The application property is situated on the southern side of Commercial Road, Machen.

Site description: The application site is the former car park of the Fwrrwm Ishta Public House. The former public house has now been converted into a dwelling and the car park has been divided off from that. The site is largely triangular in shape being wide at the front than at the rear. The site also slopes gently from front to back towards the river to the south of the site. It was formerly hard surfaced area but has now become overgrown.

To the west of the site is the former public house with the river to the south and east. The main road is to the north of the site with the war memorial and the grounds of St John's Church to the north of that. Whilst the site is in the centre of the village with a convenience store to the north west of the site, with the former pub now being a dwelling the area is mainly residential in character with the majority of properties on Commercial Road being two storey semi-detached and terraced properties with a small number of larger detached buildings.

Development: The application seeks full planning consent for the erection of a large detached building to be used for a mixed use of commercial and residential. The submitted plans indicate the erection of a two storey flat roofed building sited at the front of the site adjacent to the former public house. The building will be finished in a mixture of render and timber cladding to the front with some brick panelling to the rear. There would also be a large amount of glazing to the front elevation with grey upvc frames and panelling.

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The building will accommodate two commercial units on the ground floor with two commercial units and three apartments on the first floor. The commercial space would be used for retail on the ground floor and offices on the first floor. Each of the apartments would have two bedrooms, an open plan kitchen, dining room and living room and two bathrooms.

Access to the site will be derived off Commercial Road with a new car park being created to the rear of the building. This car park would be shared between the commercial and residential uses and will provide a total of 19 parking spaces. Turning facilities are also provided within the site together with bicycle storage for 8 bikes. A bin store is also proposed to the rear of the site.

Dimensions: The building measures 31m long by 15m deep by 7.6m high at its highest point. The commercial units on the ground floor will have a floor area of 325.5 square metres and 87 square metres. The commercial units on the first floor will have a floor area of 71 square metres and 72 square metres and the apartments will have a floor area of 68 square metres. The site has overall dimensions of 55m by 54m by 61m and an area of 0.18 hectares.

Materials: As stated above.

Ancillary development, e.g. parking: None.

#### PLANNING HISTORY 2005 TO PRESENT

06/0113/ADV - Erect free standing sign - Granted 18.10.06.

06/0145/FULL - Erect raised decking - Granted 15.09.06.

12/0063/COU - Temporary erect marquees and gazebos to host a rural market on a monthly basis of up to 10 events a year, between the hours of 10.00 a.m. and 2.00 p.m. on a Saturday only, in part of the car parking area of the Fwrrwm Ishta Inn - Refused 15.10.12.

13/0595/COU - Change the use from A3 (pub/restaurant) to C3 (residential), alter and refurbish existing Fwrrwm Ishta public house to create new five-bedroom single family dwelling with associated external works, parking and new garden area - Granted 28.11.13.

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14/0024/FULL - Erect new residential development of four 6 bedroom dwellings and a pair of affordable units with associated external works, parking and new garden areas, plus new access road and footpaths - Refused 10.09.15

## POLICY

Local Development Plan: Within settlement limits.

### Policies

Local Development Plan: SP3 (Development Strategy in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW11 (Affordable Housing Planning Obligation), CW15 (General Locational Constraints), CW16 (Locational Constraints - Retailing).

Adopted Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development. The following Paragraphs are relevant to the determination of this application:-

1.1 The quality of the places we live in has an impact on all aspects of life. How well they are designed will influence how safe we feel, how easy it is to walk round, whether we have shops, community facilities and schools nearby, whether our children have safe places to play. It will also affect whether there is good access to public transport and a good choice of homes in which to live. It is essential that the places we create embody the principles of good urban design.

1.2 Caerphilly County Borough Council (CCBC) is committed to achieving good design, as is the Welsh Assembly Government (WAG). Good design is a key aim of the Planning System and Planning Policy Wales (WAG 2010) requires that Local Development Plans (LDPs) provide clear policies setting out a local authorities design expectations. Technical Advice Note 12: Design (TAN 12) [WAG 2002] gives advice to local planning authorities on how design may be facilitated within the planning system.

A good movement network allows people to move around freely and easily, through a variety of transport modes. New development should be accessible to all and should be successfully integrated into the existing surrounding area. It is vital that the pattern of accessibility and ease of movement is designed hand in hand with measures to reduce crime and create safe and secure streets, spaces and buildings.

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Ensure safe and efficient access for all modes of transport, emergency services and other service vehicles but wherever possible give priority to pedestrian and cyclist movement.

Development should respond to the character and local distinctiveness of site. The character and context of any development is created by the form of the development, the landscape, culture and biodiversity - all of which are locally distinctive. These elements have often built up over a considerable time and help create a 'sense of place'. The character and context of a site should influence design positively so that development does not simply replace what was there but reflects and responds to changes in local circumstances. If the context to a development has been compromised by an earlier stage of development it should not be seen as a reason to perpetuate what has been done before.

Opportunities should be sought to deliver high quality sustainable development that reflects the technologies and aesthetics of the 21st century and creates a strong sense of place.

Often there is a perception that innovative 'contemporary' design conflicts with established patterns of settlement and traditional styles of architecture. In reality architectural styles and traditions have evolved numerous times in the past in response to changing social and economic conditions. There is no reason why design which uses modern materials and responds to contemporary aesthetics should not fit in with context as well as more traditional forms of development.

When the merits of 'contemporary' versus 'traditional' architecture are considered the debate often revolves around the style of the building itself. Often some of the most important design issues related to character and context are totally overlooked. These can be simple issues like building setback, plot width, building height or verticality. If these are responded to appropriately then architecture using modern materials and construction methods, with styling that reflects aesthetics of the 21st century, can be entirely in-keeping with character and context.

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

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National Planning Guidance contained in Technical Advice Note 12 - Design.

### CONSULTATION

CCBC Housing Enabling Officer - No comments.

Transportation Engineering Manager - There is objection to the submitted proposals for the following reasons:

In the absence of adequate off-street parking facilities for the commercial element of the development, the proposal would generate additional on-street parking along a County Route as defined in Caerphilly County Borough Council's LDP, to the detriment of highway safety.

In the absence of adequate parking and turning facilities for delivery vehicles within the curtilage of the site, the proposal would generate both on-street parking along and reversing movements onto a County Route as defined in Caerphilly County Borough Council's LDP, to the detriment of highway safety.

Head Of Public Protection - No objection subject to conditions.

Senior Engineer (Land Drainage) - No objection subject to conditions.

Dwr Cymru - No objection subject to conditions.

The Coal Authority - No objection.

Conservation & Design Officer - Objects as the applicant does not consider the impact of the proposal on the setting of the listed War Memorial opposite the site.

Countryside And Landscape Services - Raises no objection in principle but has concerns with regard to the design of the building and the hard commercial feel to the car park area.

Bedwas, Trethomas & Machen Community Council - Raises objection to the application on the basis of design, highway safety and flooding.

Natural Resources Wales - No objection subject to conditions.

Police Architectural Liaison Officer - No objection.

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## ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: 23 letters of objection were received.

### Summary of observations:

1. The design is too modern.
2. The design is out of keeping with the character of the area.
3. There is more need for family housing in the area than for apartments.
4. There is no requirement for shops in the area.
5. The site should be redeveloped as a pub/restaurant with guest accommodation.
6. Machen cannot cope with additional traffic.
7. The proposed access is dangerous.
8. Insufficient car parking is proposed.
9. Nearby brown field sites would be more suitable for this type of development.

Three of the letters also support the principle of the development but share the concerns with regard to design and highway safety etc.

## SECTION 17 CRIME AND DISORDER ACT

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

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Is this development Community Infrastructure Levy liable? No.

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## ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application seeks full planning consent for the erection of a mixed use development of residential and commercial uses which is considered to be acceptable in principle within a residential area within the defined settlement limits. However, the application has to be considered against national planning guidance and development control criteria and in that regard the objections raised by members of the public are central to the determination of this application and I will deal with each of these in turn below: -

1 Whilst the design of the proposed building is very modern, as stated in Supplementary Planning Guidance LDP6, it should not be perceived that contemporary design conflicts with traditional styles of architecture. Provided that the developer has considered the context of the site and used traditional style features such as set back, building height and fenestration, then a modern design can be perfectly in keeping with the traditional character of the area.

2 However, it is not felt in this instance that the traditional character of the area has been considered in the design of this building. Other than the converted public house immediately adjacent to the application site the majority of buildings in the area are modestly scaled domestic properties with traditional domestic design features such as roof pitches and fenestration. The proposed building is not only modern in style but it also does not exhibit any of the traditional features that are evident in the area. The blocky design of the building has a horizontal character with a flat roof that is at odds with the character of the adjacent buildings. The use of large areas of glazing and metal panels is also incongruous in relation to adjacent buildings and it is considered to be overly commercial in this mainly residential area.

The scale of the building is also at odds with the scale of other buildings in the area in that it presents a large and boxy elevation to the road frontage. This has no regard for the traditional style and scale of the adjacent buildings which seek to break up the bulk of the building by the use of differing roof pitches and materials with building set backs and projecting bays etc.

It is therefore considered that the proposal is contrary to the advice contained in Supplementary Planning Guidance LDP6 Building Better Places to Live and Criterion B of Policy SP6 of the Caerphilly County Borough Local Development Plan in that the design does not respect the character of the area and does not reinforce attractive qualities of local distinctiveness.

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3 It is not for the Local Planning Authority to determine whether there is a need for the development in the area in preference to any other development. The Local Planning Authority has to consider whether the application before it is acceptable on its own planning merits and the need for one type of residential development over any other is for market forces to determine.

4 Again it should be noted that the need or otherwise for shops in the area is not a matter for the Local Planning Authority.

5 It is for the market to decide whether or not a new public house would be a better use for the site.

6 The application has been considered by the Transportation Engineering Services Manager and no objection has been raised in respect of the additional traffic attracted to this development. Moreover, the Local Planning Authority would only be able to request a traffic survey to support the application if the retail development had a floor area in excess of 1000 square metres.

7 The Transportation Engineering Services Manager has considered the application and it is not felt that the proposal is unacceptable from a highway safety perspective in terms of the access into the site. Adequate vision splay can be achieved at the access and the submitted plans show an access that is of adequate width to allow vehicles to enter and leave the site safely.

8 The Transportation Engineering Services Manager has raised objections to the application on the basis that insufficient parking is provided for both the residential and commercial elements of the scheme and as such the proposal would lead to on street parking on a defined County route to the detriment of highway safety. The proposal is therefore contrary to the advice contained in Supplementary Planning Guidance LDP6 Building Better Places to Live and Criterion C of Policy CW3 of the Caerphilly County Borough Local Development Plan.

9 The Local Planning Authority has to consider the application that is before it and it cannot refuse an application on the basis that another site may be preferable for a particular type of development. Moreover, as stated above the principle of this development is considered to be acceptable in this location.

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It should also be noted that the car park to the rear of the site provides car parking for both the residential and commercial uses together with access, turning and servicing for the commercial uses. The parking for the residential units, together with the bicycle and bin storage is sited at the rear of the car park such that occupiers of the flats would be expected to travel across the car parking and servicing areas for the commercial units in order to access the apartments. The entrance to the flats is also at the front of the building with access obtained via a footpath along the side of the building. In that regard it is not considered that the proposed layout has sufficient regard for the needs of pedestrians as part of the development and as such it is contrary to the guidance contained in Supplementary Planning Guidance LDP6 Building Better Places to Live and Criterion B of Policy CW3 of the Caerphilly County Borough Local Development Plan.

It is also felt that it is not possible to accommodate the proposed building together with providing adequate parking, turning and servicing areas and amenity space for the apartments and as such it is felt that the development represents over development of the site contrary to Criterion B of Policy CW2 of the Caerphilly County Borough Local Development Plan.

Comments from consultees: With regard to the objection raised by the Council's Conservation and Design Officer, it is accepted that the proposed building would be in close proximity to the listed war memorial which is sited on the northern side of Commercial Road. However, with the road between the two sites it is not felt that it would be justified to refuse this application on the basis of the impact of the proposal on the listed structure. It should also be noted that the two features would not be viewed in the same vista and as such it is not felt that the proposed building would have a detrimental impact on the setting of the listed building, sufficient to warrant refusal of the application. All other objections are addressed above.

Comments from public: None.

Other material considerations: None.

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RECOMMENDATION that Permission be REFUSED

The reason(s) for the Council's decision is/are

- 01) In the absence of adequate off-street parking facilities for the commercial element of the development, the proposal would generate additional on-street parking along a County Route as defined in Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, to the detriment of highway safety. The proposal is therefore contrary to the advice contained in Supplementary Planning Guidance LDP6 Building Better Places to Live and Criterion C of Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
  - 02) In the absence of adequate parking and turning facilities for delivery vehicles within the curtilage of the site, the proposal would generate both on-street parking along and reversing movements onto a County Route as defined in Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010, to the detriment of highway safety. The proposal is therefore contrary to the advice contained in Supplementary Planning Guidance LDP6 Building Better Places to Live and Criterion C of Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
  - 03) The proposal is contrary to the advice contained in Supplementary Planning Guidance LDP6 Building Better Places to Live and Criterion B of Policy SP6 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 in that the design does not respect the character of the area and does not reinforce attractive qualities of local distinctiveness.
  - 04) It is not considered that the proposed layout has sufficient regard for the needs of pedestrians as part of the development and as such it is contrary to the guidance contained in Supplementary Planning Guidance LDP6 Building Better Places to Live and Criterion B of Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
  - 05) It is felt that it is not possible to accommodate the proposed building together with providing adequate parking, turning and servicing areas as well as amenity space for the apartments and as such it is felt that the proposal represents over development of the site contrary to Criterion B of Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
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